

ILO Technical Co-operation Project

Ukraine: promoting fundamental principles and rights at work

UKR/01/51M/USA

Final Evaluation

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Contents

Introduction and acknowledgements	4
Executive Summary	5
Acronyms	8
Background and project description	9
Purpose of the evaluation	12
Methodology	12
Summary of project status	13
Findings, conclusions and recommendations	15
Validity of the project strategy, objectives and assumptions	15
Impact/benefits accrued to target groups	16
Final implementation status	23
Sustainability of project results	25
Effectiveness of management performance	28
Effectiveness of project performance monitoring	28
Lessons learned and best practices	30
Appendices	Error! Bookmark not defined.
Appendix A: Individuals consulted by the evaluation mission	33
Appendix B: Members of the Project Advisory Committee	36
Appendix C: Seminars held under the project	40
Appendix D: Statistical overview of seminars	61
Appendix E: Incoming missions	63
Appendix F: Missions / visits out of Ukraine	70
Appendix F: Statistics relating to Labour Inspections	71
Appendix G: List of publications produced	80

Introduction and acknowledgements

This evaluation was written following a mission to the Ukraine that took place on 16-22 October 2005. The evaluation team comprised of Steve Gibbons, Director – Labor Rights with Ergon Associates, a consultancy based in London, UK and Wael Issa, Technical Cooperation Officer, IFP/Declaration, ILO HQ Geneva. The evaluation mission carried out a number of meetings with a wide range of individuals who were either involved or affected by the project. A full list of those consulted is contained in Appendix A.

The evaluation of the project was greatly helped by the assistance and support of the Ukraine project team namely Mr. Stanislaw Cieniuch, CTA, Ms. Nadiya Zarko, NPC, Mr. Sergiy Savchuk, Programme Assistance, Mr. Sergiy Samoylenko, Finance Assistant and Ms. Yulia Lavrenchuk, Secretary. The development of the programme was also assisted by a number of others including Mr. Vasyl Kostyrytsya ILO National Correspondent. Without the work of these individuals and many others the evaluation would not have been possible.

Executive Summary

When one looks back in hindsight at the objectives that the ILO Ukraine project was set at its commencement, it is easy to see that it would be a challenge to achieve all of them. Bringing about the reform of a labor law in any country is, to say the least, often at a far from straightforward project. Promoting the efficiency of a state Labor Inspectorate is not an easy task. This is before one starts to consider the objective of promoting social partnership for and collective bargaining in a market-based economy in the context of a post-Soviet economic and political system. So, the project was faced with substantial challenges even at the beginning, this was not take into account the sometimes extraordinary events that have taken place during the last two years of the project. This evaluation looks to key questions asked of the evaluation team in its terms of reference to try to judge the impact of the ILO Ukraine project and also to consider if there are any key lessons that can be learned to help develop this project or others in the future. The key evaluation questions asked of the project evaluation team are considered below.

Validity of the project strategy, objectives and assumptions

There were no stakeholders who informed the project evaluation team that the core strategy and objectives of the project were misplaced. This is in good part due to the fact that the project consulted widely, particularly through the Project Advisory Committee, about each stage of the project and its objectives. The view of many stakeholders was that the project was firmly grounded in the requirements of the country and the difficulties that were likely to be encountered. All of the indicators from stakeholders and outcomes of the project suggest that the strategy adopted, particularly the placing of tripartitism and dialogue at its heart, was both appropriate and well executed. There were some assumptions about the project which have proven to be misplaced, however. This is particularly so in relation to assumptions about the timescale for the implementation of a new labor code and the planned number of events which the project should be organizing throughout any given year. The one major change that took place in the project was that the original gender component was modified after the mid-term evaluation and this appears to have been considered to be the appropriate course of action.

Impact on key actors / target groups

An essential part of a project of this kind is to work with all of the major stakeholders, including government, trade unions, employers, the Labor Inspectorate, national bodies responsible for labor relations, parliamentarians and the academic community. There is evidence of substantial impact of the project on all of these target groups, in particular the tripartite group of government, trade unions and employers. All have participated in numerous training events and conferences, both as participants and organizers. All have received – and often participated in the development of – publications, research materials and other documents. The tripartite group has been profoundly involved in the process of drafting the labor code. The Labor Inspectorate has been the recipient of training, materials and material support in the form of the implementation of a new computerized system for tracking labor rights violations. Further, organizations such as the National Conciliation and Mediation Service have received important training and support from the project.

Final implementation status

Bearing in mind the difficulties which the project faced, it is highly impressive that the project has achieved as much as it has. While the key objective of assisting labor law reform has yet to come to fruition, in the sense of the adoption of a final version of a new law, it is generally accepted by stakeholders that this is in no way due to any fault on behalf of the project or the project team. Further, the project has delivered on most of the key objectives set in relation to law reform. Similarly, while there is room for a great degree of future development in the sphere of social partnership, the project has contributed substantially to both the development and capacity of the social partners themselves and, importantly, the relationship between them. Finally, with regard to both the reform and the increased efficiencies within the Labor Inspectorate, there are clear indications that that this institution has benefited enormously from the support and professionalism of the project through training, materials and consultation, as well as the material support in the form of a new

computerized system.

Sustainability of project results

Key to the project's sustainability plan are: working with other stakeholders; the production of high-quality guidelines and publications; training of trainers to pass on learning gained in the project to a wider group of stakeholders; obtaining of further funding to continue work. The project has worked with a wide range of stakeholders – particularly trade unions and employers' organizations. As a result, various of these stakeholder organizations have either used project materials and training courses in their own context or developed new materials or courses based on those created by the project. As a result, key outputs from the project will be replicated in the medium to long term. The work with the unions and employers has also been based on the building of their capacity to participate in the expected activities of such organizations. A number of trainers have also been directly trained by the project to disseminate learning from the project. Finally, the project has obtained further funding to continue aspects of its work, with other aspects of the work being taken up by the Swedish-funded project, Labor Market Dialogue.

Project management.

The project is managed in an efficient and focused manner. The project team all appear to have a clear grasp of the various aspects of the project, while at the same time taking responsibility for their own particular areas of work. This was borne out by the comments of more than one stakeholder that they were always impressed that whoever answers the phone would be able to deal with a query and provided a timely response. The team has those regular meetings and also has a very clearly defined work plan against which progress is assessed. The relationship between the ILO in Geneva and the project in Ukraine and any difficulties that were identified by the mid-term evaluation have, according to the ILO staff in Kiev and Headquarter, been resolved. The ILO office in Budapest is providing sound administrative, financial and technical support to the project.

Effectiveness of project performance monitoring

The use of a strict performance management plan obviously has advantages to the control and analysis of progress of ongoing work, however the usefulness of some of the indicators in this project's management plan must be open to question, this has partly been a result of the somewhat fluid nature of the outcomes due to external factors affecting the project's performance. It must also be said, however, that the perceived lack of usefulness of the performance management statistics – or the inability to collect some of the statistics – has led to very little evidence of the project's day-to-day activities being affected by the performance management framework.

Lessons learned / best practices

There are a number of lessons that can be taken from the project. In relation to the reform of labor law, it may be that the project should have constituted this as a discrete separate project, but in any event the manner of working adopted by the project – namely working at all times with a full range of social partners is one which has clearly led to real results and trust in the project. It may well be that this should have been continued during the parliamentary process, to the extent that is possible in such circumstances.

The responsibilities and control of the Labor Information Center should definitely have been much more clearly established at the beginning of the project. Its exact role during the latter part of the project is open to question. There are serious questions about whether the Center would be best located somewhere other than the Labor Ministry.

In relation to the Labor Inspectorate, there were clear gains made in the work of this organisation, following the trip made to consider the way in which the Polish inspectorate works. This seems to have had a greater impact on the inspectorate than a number of conferences and other interventions. It may be that there would have been real benefits from sending the inspectors on an international trip earlier in the project.

Much of the activities of the project in relation to collective bargaining and freedom of association have been concentrated at national and regional level, while it is important to

gain respect of the social partners at a high level, and this has been achieved to a substantial degree, the collective bargaining element of the project could perhaps have been extended to cover enterprises and regional unions to a greater degree than it has. This could have involved more training of trainers.

One very positive lesson from the project relates to the clearly defined strategic partners in terms of the various trade unions, government bodies, employers and quasi state bodies such as the National Conciliation and Mediation Service. The project has been able to utilize seminars and other resources provided by the partners to benefit the project's outcomes.

Conclusions

The fortunate mix of skills, experience and contacts of the project team has allowed them to operate effectively across a wide range of stakeholders. Further, their professionalism and ability to remain calm and focused even in particularly difficult circumstances has allowed the project to navigate what have on occasions been very difficult waters. One example relates to the reform of the Labor Code, in relation to which almost all stakeholders interviewed during the course of the evaluation were highly complementary as to the project's ability to remain independent outside the political and other difficulties to use the good office of the International Labor Organization to promote the development of a code which is both Ukrainian in its genesis but also more compliant with international standards. Most obviously in this regard, the fact that the project has been able to continue to operate throughout all the periods of political turbulence over the last year-and-a-half is a clear credit to its approach. It may be that the project should look to use this approach further over the coming months to assist the reform of labor law through the next few difficult stages.

To conclude, it is fair to say that most of the key objectives of the project have been met, with a number of subsidiary benefits accruing to the stakeholders and the project itself. Where there have been difficulties in achieving some particular objectives of the project, these have been dealt with efficiently and diplomatically to ensure that the project keeps moving forward on the right track. Many of the outcomes of the project are clearly sustainable and are attracting support and resources for the future.

Acronyms

CTA	Chief Technical Adviser.
CFTUU	Confederation of Free Trade Unions of Ukraine.
FTUU	Federation of Trade Unions of Ukraine.
ICFTU	International Confederation of Free Trade Unions.
ILO	International Labor Organisation/Office.
IOE	International Organisation of Employers.
LIEU	League of Industrialists and Entrepreneurs of Ukraine.
NCMS	National Conciliation and Mediation Service.
NCSP	National Council for Social Partnership.
NPAC	National Project Advisory Committee.
SOPU	Ukrainian Union of Leaseholders and Entrepreneurs.
UNDP	United Nations Development Programme.
US/DOL	United States Department of Labor.
VOST	ALL-Ukrainian Union of Workers' Solidarity.
WCL	World Confederation of Labor.

Background and project description

Conceived and developed in the first half of 2001 by the United States Department of Labor (USDOL) and the International Labor Organisation (ILO), this project is designed to promote respect for the fundamental principles and rights at work in Ukraine. The ILO commenced its execution of this project on 28 August 2001 with a budget of \$1,600,141 provided by the USDOL. An additional \$700,000 was added to the budget 5 August 2003 for a total project budget of \$2,300,141.

Central to the project is the reform of the labor legislation which was considered to be ill-adapted to a free market economy system and more relevant to the former centrally-planned economic system that was prevalent in Socialist bloc countries, including Ukraine. In addition, the legislation required adaptation in the light of the developments that took place in society and in the economy since Ukraine's independence in 1993. The transition from a centrally-planned economy to a more market-oriented one has been a painful one for the country. Unemployment soared and wages remain unpaid for long periods in many establishments. Around sixty per cent of the economy is operating "in the shadows" and is untaxed. Many workers do not enjoy the protection of the law or of collective agreements. Women, who constitute around half the working population, also constitute about sixty per cent of unemployed workers, and are subject to various forms of discrimination and inequality.

Prior to the project's commencement the situation on social partnership was confused, with neither the Government, nor trade unions, nor employers' organizations fully understanding their respective roles. The Government continued to maintain an interventionist role in labor relations and the workers and the employers did not fully understand the purpose and meaning of collective bargaining or utilize it to its best effect.

The project was designed to address these issues. It provided for the comprehensive reform of the labor legislation in order to bring it into line, not only with good labor relations practices, but also with the provisions of the fundamental Conventions specified in the ILO's Declaration of Fundamental Principles Rights at Work, adopted by the International Labor Conference in 1998, relating to freedom of association and collective bargaining, equality of rights, forced Labor and the elimination of child labor. Ukraine has ratified the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No.87), the Right to Organize and Collective Bargaining Convention, 1949 (No.98), the Equal Remuneration Convention, 1951, (No.100) and the Discrimination (Employment and Occupation) Convention, 1958, (No.111), which are more directly related to the objectives of the project.

Within the context of the labor law reform, the project was expected to conduct technical seminars and workshops, and provide international advisory services, consultations and study tours. In addition, a Legal Information Center would be created within the Ministry of Labor and Social Policy in order to allow access by Government officials, as well as workers and employers and their organizations, to a wide range of national and international documents and material on labor law and labor relations.

The project also provided for the establishment of a completely new labor inspection system as part of the Ministry of Labor and Social Policy. The objective was to ensure the improved application in practice of the labor legislation, and labor inspectors would receive appropriate training courses to enable them to carry out this mandate. This not only included training on inspection techniques but also on the approach and manner in which inspections are conducted. Studies would also be carried out to determine the main infractions of the law and inspection manuals developed for use by labor inspectors.

Another related area addressed by the project was the promotion and development of the principles of freedom of association and collective bargaining and the settlement of labor disputes. A variety of interventions would be used to address these issues, including seminars and courses for workers and employers and their organizations as well as undertaking research to identify the precise situation of these organizations and their respective capacities to defend and promote the interests of their memberships. Mechanisms would also be developed at the national, regional and enterprise levels for conducting collective bargaining and master collective agreements at these levels would be

prepared. A study was undertaken of the role and procedures of the National Conciliation and Mediation Service (NCMS) in order to determine its effectiveness. Training would be provided to conciliators and mediators and manuals would be prepared. Among other activities, technical assistance would also be given to the National Council for Social Partnership and its secretariat for establishing and maintaining programmes for the joint training of the social partners

Finally, the project was designed to promote the principle of non-discrimination and equality of opportunity for women in employment. Improved information on the situation of women in the Labor market would be collected and analyzed and a national workshop held to examine the findings of such a pilot exercise. The legal framework for the promotion of non-discrimination would be studied with a view to reinforcing its application and training seminars would be held for Government, workers, employers and non-governmental organizations (NGO's) on gender equality issues. Activities would also be undertaken to enhance the public awareness of women workers' rights and improve the legal literacy of women workers. For this purpose, the project would develop resource and information centers within two regional employment services.

A performance monitoring plan for the project was developed in November 2001 with the assistance of Management Systems International. The aim of the project management plan was to assist in the development of the project and A revised PMP was developed in April 2004, also with the assistance of MSI,

The development objective for the project is that the fundamental principles and rights are respected in the workplace.

Project objectives

Immediate objectives for the project – with associated indicators - are:

Immediate Objective 1 - By the end of the project, the labor law reform effort will have been assisted by providing technical assistance to a tripartite group drafting a new labor code and industrial relations laws. The project will assist in introducing and shepherding the laws through the parliamentary process.

Indicators under the PMP related to this objective include:

- Percent of tripartite working group(s) and PAC members who complete survey who rate the project “helpful” or “extremely helpful” in assisting tripartite process of drafting labour code and drafts of laws on industrial relations
- Review of ILO comments on new draft labour code accepted during the parliamentary process
- Drafts of new industrial relations laws submitted according to schedule

Immediate Objective 2 – By the end of the project, the labor inspection system will be functioning more efficiently and effectively through the training of inspectors, the implementation of a new computer system to store analytical and statistical data and the creation of consultation desks for the public.

Indicators under the PMP related to this objective include:

- Speed with which inspectors resolve identified violations of labour law
- Number of consultations provided by consultancy desks
- # of labour inspections performed by region/type
- # complaints resolved following inspection, by region and type
- % of regional labour Inspectorate staff who complete survey who rate the project “helpful” or “extremely helpful” in increasing efficiency of labour inspection system

Immediate Objective 3 – By the end of the project, the practice of freedom of association and collective bargaining will have been improved by providing a better understanding and addressing issues regarding representatively, and providing assistance to improve collective bargaining practices of both labor and employer organizations.

Indicators under the PMP related to this objective include:

- number and percentage of regional and sectoral agreements registered that were made on the basis of the master collective agreements developed within the project
- number of trade unions signing collective bargaining agreements (CBA) at national, regional and sectoral level during reporting period
- number of employer's organizations signing CBA at national, regional and sectoral level during reporting period
- Reach of project's educational efforts regarding CB
 - number attending training
 - number of hits on website
 - number of copies of each document distributed

Mid-Term Evaluation

The mid-term evaluation took place in September 2002. A number of recommendations were made to the project. The most significant recommendation made was to review the gender component of the project. Based on the recommendation, a decision was made to mainstream the gender component into all project activities and drop objective 4 which focused on non-discrimination between men and women in employment. Other key responses by the project following the mid-term evaluation included the following:

- A greater input from international experts to the project – in the shape of participation by ten international experts in seminars organized by the project following the mid-term evaluation
- Worked with employers' and workers' organizations to develop training to understand their role in the modern economy.

Purpose of the evaluation

As defined in the terms of reference, the purpose of the final evaluation is to:

- a) determine if the project has achieved its stated objectives and explain why/why not;
- b) assess and document the effects of project activities and outputs on target groups;
- c) assess the likelihood of sustaining project outputs;
- d) report on lessons learned and best practices.

In addition the project evaluation team have sought to identify circumstances where the project has had a wider impact that may have been first thought and also to identify circumstances where the conception of aspects of the project could have been focussed differently.

Methodology

The evaluation team carried out a visit to Ukraine on 16-22 October. During the course of this visit the team met with a very wide range of stakeholders identified by the project team and the evaluation team. To this list can be added a range of individuals who have been interviewed by telephone. See appendix A for the full list of consultees. The evaluation has also taken into account a range of documents produced in connection with the project and these are set out at appendix G and also the range of quarterly reports, mission reports, technical reports and other documents produced by the project team and others.

To achieve the evaluation's purpose, the evaluation team have examined a number of key evaluation questions, in particular seeking to determine:

- Validity of project strategy, objectives and assumptions
- Impact/benefits accrued to the target groups
- Implementation status, specifically as concerns planned activities, materials, schedule and budget
- Sustainability of project results
- Effectiveness of management performance by DOL, ILO, CTA and NPC
- Effectiveness of project performance monitoring

In addition, the final evaluation has sought to identify lessons learned from project implementation that might inform the potential design and implementation of similar projects in the future.

The evaluation team carried out semi-structured interviews with all of the groups met with and also had detailed meetings with the project team.

Summary of project status

Labor Law Reform:

The project has been involved in the development of a new labor code from its commencement. The draft labor code, which was developed by a tripartite committee that was assisted by the project, was approved by the National Council of Social Partnership on 17 July, 2003. It was sent by the Prime Minister of Ukraine to the Parliament on 29 August, 2003, and supported by an overwhelming majority of parliament in the first reading on 5 December, 2003.

The work on the labor code continued with the project facilitating and promoting the establishment of a tripartite workgroup under the Parliamentary Committee of Social Policy and Labor. Work was done on the draft labor code, including evaluating the changes introduced by the Parliamentary Committee in preparation for a second reading in Parliament.

The draft was ready for a Second reading when Ukraine's parliament passed a no-confidence motion in Prime Minister Viktor Yanukovich in November 2004 as a crisis over the disputed presidential poll continued. With no majority in the Parliament the social partners did not want to risk losing the draft law as a result of a parliamentary defeat, so the date for the second reading was delayed. The draft was further reviewed by the ILO and comments were given in mid spring 2005 with a second reading finally taking place in May 2005. The draft is now with the Parliamentary working party to seek to harmonise various of the collective Labor law issues, which are contained in Chapter / Book VI of the code. Adoption of the code is unlikely before the elections to be held in March 2006, although those closely associated with the law, such as the chairman of the Parliamentary working party, feel that there is a real prospect that the new laws will be approved at some time in 2006.

The project has assisted in improving other laws. The Project prepared a new draft of the law on collective agreements and developed a new concept of the draft law on social partnership. They have also worked on the draft laws on Employer' Organizations and Social Partnership.

Reform of the Labor Inspectorate System:

With the help of the project, the State Labor Inspectorate successfully lobbied for the ratification of the ILO Labor Inspection Convention 81, and the ILO Labor Inspection (Agriculture) Convention number 129. The ratification of these Conventions are an important step forward for the Ukraine and, in the view of the Head of the State Labor Inspectorate, is directly attributable to the work of the project.

The project has helped develop and implement a nationwide computer system to monitor the labor law violations and improve the efficiency of the State Labor Inspectorate. A wide range of training for the inspectors on the system has been conducted. The project also organized a highly-successful study tour to Poland for key members of the State Labor Inspectorate. In total some 16 courses were organized on subjects related to labor inspection and there were 682 instances of participation in these courses by labor inspectors. The project continued in the later stages of the project to initiate steps aimed at establishing an information and consultancy desks within the Territorial Labor Inspectorates.

Freedom of Association and Collective Bargaining:

Master collective bargaining agreements have been developed within the Project on a tripartite basis. The agreements have become a good reference for social partners in collective bargaining. The project commissioned important sociological research on the representativeness of the social partners in Ukraine, which was completed in April 2004.

The project has conducted many workshops, seminars, and trainings on collective bargaining and freedom of association. However, at times, because the ideas dealt with within the segment of the project are new and both the Unions and Employers' Organizations are relatively weak, this objective of the project has at times been somewhat challenging to

both the project and the stakeholders. Moreover, the conflict between old 'communist-origin' trade unions and 'new' trade unions were, at times a political challenge to the project. The project has organized training of trainers activities for employers' organizations and trade unions on organizing, management, freedom of association and collective bargaining.

The project works closely with other UN agencies and bilateral donors involved in the promotion of reforms in the area of Industrial Relations. These relationships have become a means of bringing into the Project more new people and material resources. In particular, work with the AFL-CIO in relation to the training of trade unions and the Swedish Initiative Labor Market Dialogue.

Gender Mainstreaming:

The project has sought to ensure that gender-related elements are contained in the three main strands of the project. Non-discrimination clauses were included in the draft labor code. The State labor inspection introduced monitoring and prevention of gender related violations at the workplace in their daily practice. The Project finalized and published in April 2004 the Ukrainian version of the ILO publication "Gender equality: A Guide to Collective Bargaining". Gender non-discrimination was included into the materials of the "training of trainers" seminars for employers and trade unions.

Findings, conclusions and recommendations

This section of evaluation report deals with each of the specific issues and questions about the project which were raised in the terms of reference given to the project evaluation team, namely:

- validity of project strategy, objectives and assumptions
- impacts/benefits accrued to target groups
- final implementation status
- sustainability of project results
- effectiveness of project management
- effectiveness of project performance monitoring.

Validity of the project strategy, objectives and assumptions

Findings

The strategy and key objectives of the project have been welcomed and well understood by all stakeholders. The degree to which all key stakeholders explained to the evaluation team the objectives of the project is testament to how much they did understand and how the project communicated broadly on its objectives and activities. In meetings with governmental officials, employers' organizations and trade unions, at both a national and regional level, when asked to explain their understanding of the objectives of the project on each occasion the relevant stakeholders did so with absolute comprehension and accuracy. It should be noted that throughout the project the project advisory committee (PAC) has functioned well and members of this committee were drawn from the wider stakeholder community, to enable trade unions, employers, government, etc to both shape the project's objectives and outputs. The evaluation team were told on more than one occasion that what made this project successful and different was that it was perceived as a truly national project and it is this that allowed the project to move forward and succeed where other projects would have floundered.

There appears to have been little or no controversy over the engagement of the ILO project on the three main objectives – although there was some slight resentment from some of the trade unions in relation to the work with the Labor Inspectorate, which is understandable as there was a loss of power for trade union inspectors that came with the increase in power for labor inspectors. Inevitably there could have been different strategic approaches or objectives for the project, but there was not a single stakeholder which suggested any major alternatives to the objectives and strategy of the project. Again, this is probably due to the engagement of the stakeholders in the PAC.

There were a number of assumptions made in designing the project which have subsequently proven to be unfounded, however. The most glaring of these is the timescale involved in securing the progress of labor law reform. To a large degree the political events of 2004 /5 in the Ukraine have contributed substantially to a stalemate in relation to the draft labor law that could not have been anticipated during the project's design stage and the project team have taken appropriate steps in the light of the lack of progress in this area, for example by concentrating on other aspects of the project.

Conclusions

There are a number of issues in relation to both the strategy, assumptions and objectives of the project that need further examination.

The first issue is whether the project may have been overburdened with too wide-ranging objectives at its commencement. This issue was raised by a number of stakeholders and the project team itself. It may well be the case that the labor law reform aspect could be a project in itself. By the very nature of this aspect of the project, it is difficult to predict how much work

would be involved. While a number of defined actions such as seminars and publications could be planned at the outset and were included in each year's workplan, the final outcome, in the form of the adoption of the labor code was totally unpredictable, as it was dependent on the national law making bodies of the Ukraine. A number of stakeholders informed the project evaluation team, that the assumption at the commencement of the project that this process would be relatively straightforward and timely, was clearly misplaced.

Secondly, there is a question whether initial targets were set too high. This is particularly the case in relation to the number of events and seminars which the project was expected to carry out – particularly during the first phase of the project. The number of courses was short of that envisaged in the work plan and this appears to reflect badly on the project. However, the project team explained how they were faced with a very difficult situation where they needed to progress with all aspects of the project while, at the same time, ensuring that, as far as possible, the workplan remained on schedule.

One area where there was clearly a problem with the project's objectives, and which was identified in the mid-term evaluation, relates to the gender component of the project. The original components of the project were removed as a key project objective and, in substitution, the project was tasked with 'mainstreaming' gender into all of its activities.

The objectives were clearly arrived at following detailed consultation with the stakeholders. This assertion was borne out during the evaluation mission. Each stakeholder who was asked to define the objectives of the project could do so and understood the nature of the defined objectives and the timescale for implementation.

Impact/benefits accrued to target groups

In general terms the impact of the project on the various target groups has been substantial. Dealing by way of introduction with each of the more important target groups, the benefits include:

- The officials of the labor ministry have benefited from training, contact with other stakeholders, the presence of the information Center, exposure to ongoing international expertise and support. For example, statistics on the use of the Legal Information Center indicated that on average approximately 60 per cent of the usage of the Center has been by members of the labor ministry during the operational life of the Center.
- Trade unions have benefited from support for their activities and capacity building through training, regular contact with employers and the government, the training of trainers to further impart knowledge and the creation of a space for their input into the labor law reform process and broader social dialogue and collective bargaining
- Employers organizations have benefited from support for their activities and capacity building through training, regular contact with employers and the government, the training of trainers to further impart knowledge and the creation of a space for their input into the labor law reform process. They have also benefited from the introduction of the law on employers' organizations.
- The National Conciliation and Mediation Service has been the recipient of a substantial amount of training from the project. There have been some 2 conferences ran directly with the NCMS and the number of mediators is now 120. The number of qualified arbitrators now stands at 520.

There are some groups which were either not defined targets, but could have been, or were targets but in respect of whom the project could have achieved more impact, these include the following:

- Professional advisors, lawyers, etc. This broader group of individuals and organizations will become more important as the industrial relations scene becomes more sophisticated. However, there is already a suggestion that there are, for example, insufficient labor lawyers and academic labor law experts in the country. This is borne out by the fact that there were considered to be only seven potential national expert advisors on the reform of the labor code. The project could have tried to carry out more

professional development with this group, but resources did not really permit and there were more pressing needs to be met. Further, this group should have the resources to pay for training and development.

- The broader international community. While the UNDP office has attended the occasional seminar – and the US embassy staff a number of seminars – the project has not been significantly involved with the working groups, initiatives and other activities of the international community working in the Ukraine, outside the labor relations sphere. This may well be due to lack of time and the fact that the National Correspondent for the ILO traditionally carries out this kind of liaison activities.

In order to avoid repetition, as there were a number of instances where effect was the same or similar on more than one target group, the impact on the key groups is further elucidated by reference to defined objective-related outcomes below.

Employer and worker understanding and implementation of collective bargaining and freedom of association.

The work related to the development of collective bargaining and freedom of association has been important for the project and the social partners. The baseline situation was put quite starkly by one stakeholder who explained that prior to the commencement of the project employers and unions would not sit round the same table. Further, some of the trade unions would not sit with each other to talk. The fact that there has been a range of joint meetings and working groups is good indicator of real change and impact in this area.

Findings

Training, seminars and publications

The project has either solely organized or jointly organized with other bodies a wide range of different conferences, training seminars and other events either directly for the social partners or where the social partners are involved. Many of these conferences have been specifically addressed at the issue of the implementation of collective bargaining and freedom of association. This wide range of events – which is set out at Appendix XX – has attracted a large number of attendees and all stakeholders appear to have been addressed. The materials produced by the project, both in terms training materials and research and other publications are perceived by the stakeholders interviewed to be of a high quality and stakeholders consistently commented on the way in which they regularly use the materials provided by the project. For example, one employers' organization explained how they had reproduced training materials under their own badge and are now using them as their own materials.

Number of participants in all seminars	Total
Total number of seminars:	62
ILO representatives	50
Representatives from US DOL	4
Government representatives	715
Trade union representatives	754
Employers' organization representatives	691
Independent mediators and arbitrators	153
State labor inspectors	732
Scientists, researchers, experts, consultants, statisticians and others	228
Representatives from the National Council of Social Partnership	102
Total # of participants in the seminars:	3375
% of men/women	62,5 % / 37,5 %

Drafting of the master collective agreements

An important practical element of the third objective was the development of what have been variously termed master collective agreements or bargaining templates. The process adopted for the development of these agreements was based on consultation with the social

partners and developed with the assistance of the social partners themselves. The view of the social partners was that this not only has given the agreements a sense of authenticity, it also provides the social partners with a sense of ownership over the agreements which must mean they are more likely to be used. Further, as is discussed above, the mere process of collaboration is in itself a positive outcome in terms of strengthening social partnership, freedom of association and, in the long term, collective bargaining. Stakeholders from both employers and workers, without exception, spoke highly of the master agreements and stated that they would make an important contribution to the development of collective bargaining in the Ukraine.

The use of master collective bargains

The project evaluation team was told in stakeholder interviews on a number of occasions that the master agreements were regularly used. There seemed to be a perception amongst a number of stakeholders that around 70 per cent of agreements were based on the master agreements that have been developed. If one looks at the statistics contained in the table below, however, one sees that the figure is lower. There have been a number of agreements that have been based on the master agreements, but the proportion of agreements based on the master agreements has been relatively consistent for sectoral agreements – and this amounts to a relatively low proportion – and has slightly declined in relation to regional agreements.

	Baseline Mar-04	Sep-04	Sept –05	Total Percentage
<i>Indicator 3A. Number and Percent of regional and sectoral agreements registered that were made on the basis of the master collective agreements developed within the project</i>	1 (50%) of regional agreements 3 (15 %) of sectoral agreements	11 (55%) of regional agreements 8 (16%) of sectoral agreements	9 (43%) of regional agreements 1 (15%) of sectoral agreements	48% of regional agreements 16% of sectoral agreements

Nonetheless, it is clear from the perceptions of the various stakeholders, that the use of the master agreements is something that is thought to be growing and also considered to have a positive impact on the industrial relations climate in Ukraine. In the light of this, it is really unclear why the statistics disclosure that this does not appear to be the case. Further examination of this issue may be appropriate idea in the next phase of the project. Nonetheless, the fact that around half of all regional agreements are based on the master agreements developed by the project can be seen as a very positive achievement, the fact that substantially fewer sectoral agreements were based on the master agreements in an indicator that the project may yet to spread wider than a core national group of bargainers.

Degree of collective bargaining

The level of collective bargaining can, by its very nature, be a difficult thing to judge in any economy, regardless of the state of sophistication of the labor market and the labor market institutions. It would appear to be the case, however, that there has been an increase in number of collective bargaining agreements signed (see the table below). During the course of the evaluation mission, there was no-one who was able to fully explain the reasons why this increase had taken place or whether the nature of statistical information gathered was accurate. One could assume that the project played some contribution towards this, but there simply is not enough clear evidence to make such an assertion with certainty. On a number of occasions the evaluation team was told by both trade unions and government officials that there is little 'new' bargaining in emerging sectors of the economy.

Conclusions

What the project has done is to clearly improve the quality of collective bargaining at a regional, national and sectoral level as a result of the social partners being more at ease with

each other, understanding the process better and having a toolkit provided by the project to use in the bargaining process as a result of the training they have received and also the master agreements. This is clearly having a very real impact on the nature of collective bargaining in Ukraine. There is a real need, however, to ensure that this process is made more profound by extending support to collective bargaining at a level closer to the enterprise or direct employer. The amount of change at this level was not apparent to the evaluation mission.

	type	Baseline Jan 2003	Sept 2003	Sept 2004	Feb 2005	Sept 2005
Indicator 3B. Number of trade unions signing collective bargaining agreements at national, regional and sectoral level during reporting period	National	22	49	129	62	74
	Regional	11	22	29	10	17
	Sectoral	55	75	61	51	39
Indicator 3C. Number of employer's organizations signing collective bargaining agreements at national, regional and sectoral level during reporting period	National	16	32	23	4	5
	Regional	9	20	33	11	15
	Sectoral	20	20	10	6	17
Total		133	218	285	144	167

Labor law reform

Findings

On labor law reform, the tripartite constituencies have had substantial involvement in the drafting of the labor law reforms and have real confidence in the ILO's part in this process.

A good proportion of the activities of the project has been related to the programme of reform of labor law in Ukraine. This has included the support of the multidisciplinary workgroup, which was tasked with development of the Labor Code. The project supported this through the drafting process. This included a number of tripartite working meetings and seminars to discuss different institutions and problem areas of the Labor law. Nine conferences or seminars were organized to discuss various aspects of the labor law reform, all of which were organized on a tripartite basis. Further, an important trip to the ILO in Geneva was organized by the project and included representatives from Government, trade unions and employers. All stakeholders spoke highly of this trip and the role it played in bringing the parties together in relation to outstanding issues on the reform of the labor code. At each stage of the drafting of the code – beginning with a technical working group and then passing on to a political group – prior to its submission to Parliament, the composition of all meetings was tripartite. The project provided training, access to international and national expertise and other support to ensure that the social partners were able to continue to participate on an equal footing.

Many stakeholders were of the view that the project has worked tirelessly to support the efforts of the social partners, Ministry of Labor other parts of government and parliamentarians to bring about a reform of the Labor law in Ukraine. The Ministry of Labor reported that all comments requested from the ILO were received on time and proved to be helpful.

The Project team provided the members of the work group on Labor legislation with key documentation, in particular, that related to experience of the reform Labor law in other countries of transition. Further, the Project's Web site was established and has been operating since October 2002 (www.declaration.kiev.ua). It contains materials, developed

within the Project, as well as the ILO Declaration and some major provisions of the Project document. The statistics of site usage – as indicated in the PMP indicators see attached spreadsheet – demonstrate that the site is consulted regularly by a wide range of stakeholders. Comments by stakeholders to the evaluation team reinforced its usefulness for project partners.

Conclusions

The activities of the project, through seminars, support for social partners, advice on draft legislation, publications and, importantly, the creation and maintenance of a political space for the social partners to carry out real discussions about the nature of labour law reform in the Ukraine – probably for the first time – have had a real impact on the political life of the project. As the evaluation team were informed on a number of occasions, without the project there would be no draft labour law. As the final law is yet to be passed, it is difficult to demonstrate at this stage the real impact of the ILO interventions in accordance with the indicators set out in the PMP, but it is certain that the influence has been real and substantial.

Gender mainstreaming

Findings

Following the mid-term evaluation of the project and a specific mission from the ILO for the purposes there was the defined change of tack in relation to what was originally the fourth objective of the project. Rather than the specific gender related component that was originally within the defined project – the establishment of centers on gender and employment – it was decided that a gender issue should be rather 'mainstreamed'. There are a number of very clear indicators to suggest that there has been some progress on gender issues which can be directly related to project activity. These include the following:

- Holding of a round table on gender mainstreaming in collective bargaining
- The reported formation of a number of women's committees within trade unions – and subsequent functioning of these committees - following the attendance at project organized seminars – for example that held in Kiev on gender mainstreaming in collective bargaining on 23 June 2005
- Training of trainers-workers' representatives on freedom of association, gender mainstreaming in collective bargaining – 11-14 April 2005
- The inclusion within the draft Labor Code of a number of articles related to equality and gender issues
- The publication by the project of a comprehensive survey of the situation on gender equality and collective bargaining at both industry and regional levels
- The inclusion within seminars organized by the project of specific experts to consider the gender element – for example the meetings which accompanied the visit of Marleen Rueda-Catry
- Analytical report on a situational analysis of the gender equality problem at work in Ukraine – published August 2005.

The overall participation of women in the events organized by the project stands at some 37.5 per cent.

Although there have been a range of activities aimed at including a gender element to the project, some of the planned events have taken place quite late in the project's cycle. Although this is many ways due to the change in direction on this issue which took place after the mid-term evaluation, it does mean that the impact may have been less than if gender issues were introduced more definitively and earlier in the programme.

Conclusions

The project has developed key components which seek to promote women's involvement in the workplace and in labor relations and has a range of defined outcomes which indicate that mainstreaming of gender issues.

Labor Inspectorate

Probably the single most important group in terms of impact for the project – in terms of resources and focus – is the state Labor Inspectorate. The institution was newly founded at the commencement of the project and has grown substantially, in terms of numbers employed, in the years of the project's operation.

Findings

Computer system

During the course of the evaluation, the team looked at the operation of the new computer system which has been implemented with assistance from funds disbursed through the project. The primary aim of this computerized system is to allow the Labor Inspectorate to more readily manage its work flows, more easily identify areas where particular breaches of Labor law are apparent, and also be able to provide detailed reports on the Labor law situation as experienced through the offices of the Labor Inspectorate.

The evaluation team examined the computer system with the assistance of key responsible persons within the Inspectorate. While it is obviously difficult to assess fully the nature of the system within a short space of time - and also bearing in mind the fact that the system is operated in a language which is unfamiliar to both members of the team - the system did appear to be relatively easy to use, was well understood by all of those who had to operate it and have also seemed to be well-tailored to the needs of the Inspectorate. The evaluation team asked the staff concerned to retrieve a number of sample information requests and this was done with speed. It was impossible to testify as to the accuracy of the results.

The computer system is now operating in the following manner: information on each complaint lodged and investigated is recorded manually by each Labor inspector; the inspector will then spend some time at the regional Center each month where he or she will input the information gathered directly into the system; the database into which this information is lodged is centrally held; regular reports are then generated from this database; the performance of Labor inspectors and any ongoing or outstanding issues are identified. The staff appear to understand the system and it is being used in a thorough and regular manner.

In the view of the Labor Inspectorate, the introduction of this computerized system has substantially improved both the efficiency and transparency of their service. On the simple matter of information analysis and gathering, the Deputy Minister of Labor informed the evaluation team that the previous week he had requested information from the Labor Inspectorate in relation to the employment of minors. In his experience, as a former head of the State Labor Inspectorate, this information would have previously taken some two weeks to be provided, with the aid of a new computerized system it was provided the next day. The request for statistics from the evaluation team was similarly dealt with quickly and efficiently.

Other support for the Inspectorate

With regard to other forms of co-operation with the project, the leadership of the State Labor Inspectorate indicated that they were in daily contact with the project team. When the project started the Labor Inspectorate was only just beginning its new work, with Labor inspections previously having been carried out predominantly by the trade unions. In 2001 the Labor Inspectorate had only just taken on a range of inexperienced individuals and the project was essential for a number of reasons. These included the organization and delivery of many regional seminars where the Labor inspectors not only discussed theory, but also carried out substantial role-play exercises which were aimed at giving the inspectors the practical tools which they needed in order to do their work, including how to formulate questions, how to react and also how to be proactive in helping the employer comply with the report of the Labor Inspectorate. With the help of the project the Labor Inspectorate has also published a handbook for Labor inspectors which is used on a daily basis across the country to give both professionalism and systematic structure to the work of the Labor inspectors.

Seminars held with the Labor Inspectorate

total	Inspector attendees
16	732

In 2002 the project jointly ran with the Labor Inspectorate nine regional seminars entitled 'the Role and tasks of the Labor Inspectorate in establishment of the new system of Labor relations in the context of the transition period'. These seminars were attended by a total of 561 participants, for which 516 were from the Labor Inspectorate. The gender breakdown of these participants was 55 per cent female and 45 per cent male. The seminars were considered by the Labor Inspectorate to be an important start in the process of professionalization the emerging Labor inspectors.

A number of other conferences and training events have been organized with the Labor Inspectorate. These have drawn participants from a wide range of stakeholders and have generally been considered to be of high quality. Full details of the number of participants and the dates of location and subject of the conferences and training sessions can be found at Appendix X.

The project has also brought in important experience from outside the Ukraine in respect of the Labor Inspectorate. The work of the experts which the project have facilitated to attend the country has been well received in particular Mr. Wolfgang von Richthofen and Mr. Patrick LeMoal. Further, the study tour by a group of Labor inspectors to Poland in 2005 appears to have not only expose them to a wide range of different and the experiences on the issues which they have to deal with on a day-to-day basis, but also appears to have led them to critically re think some important aspects of the day-to-day management of the Labor Inspectorate. These are real impacts on the work of the Labor Inspectorate from one of the project's, originally unplanned, activities and include:

- The way in which questions are formulated. The Ukrainian inspectors have changed the way in which they formulate questions to employers in the light of the experience they gained on the Polish trip, so the questions are put in a more indirect way to employers to try and get closer to the truth.
- Labor inspection planning. Prior to the trip to Poland the Labor Inspectorate would tend to plan for a long period of time in advance as to the employers and issues which they would be looking at. Following the trip, this practice has been changed and the Inspectorate look to talk with the social partners and look to their own statistical information to determine what are the key issues and sectors to be considered and then plan inspections in the light of this.
- Following the Polish trip the Labor Inspectorate has introduced reviews when inspectors will have a number of companies to work with in order to provides consistent analysis and support to the Company's to move forward on they issues. There will then be an annual report on each company.
- The Ukrainian inspectors also wish to look at a number of other practices carried out by their Polish counterparts to determine whether this is the appropriate way to proceed he relation to their own work planning and procedures.

Every official from the Labor Inspectorate interviewed by the evaluation team spoke in very high terms of the project and it outputs. This included the quality of training provided to the Labor Inspectorate by the project, the level of international expertise which was leveraged for use by the Labor Inspectorate, the quality of the computerized system, and the general support and facilitation provided by the project and its team members. As one member of the Labor Inspectorate staff in the regions put it without the project the Labor Inspectorate 'would have been five years younger'.

Importantly, the Labor Inspectorate suggested that the number of disputes that have been resolved has increased and companies have got to know the Labor Inspectorate better.

Indicators on performance of the Labor Inspectorate

The statistics provided in the PMP show that the Labor Inspectorate were taking 30 days to resolve identified violations of Labor law as at February 2005.

These statistics also show that, at the same date, 37 per cent of inspectors considered the project to be helpful and 67 per cent thought it extremely helpful. This is a slight increase on the previous figure, but a substantial fall in happiness with the project which stood at a 97

per cent extremely helpful rating at the beginning of 2004. This may reflect the fact that the project carries out relatively fewer activities with the Inspectorate as the Inspectorate carries out its own training and development.

With regard to the more detailed statistics from the Inspectorate, we can see that the performance of the Labor Inspectorate, as can be seen from the table below. There have been some variation in both the number of requests for inspection over the period of operation of the project. The proportion of complaints that are reported to be resolved following inspection has increased over the lifetime of the project. Also the number of inspections per inspector has decreased substantially. This can either be taken as a sign that the Inspectorate are becoming less productive, or that the Inspectorate is better resourced and the inspectors are taking more time to complete inspections because they are doing them more thoroughly.

	Sep-03	Mar-04	Sep-04	Mar-05
# requests for labor inspection interventions	20094	10225	9961	10083
# labor inspections performed	21078	10318	10738	10363
# inspections per inspector	27	13	18	13
# complaints resolved following inspection	18637	9727	9005	9900
% complaints resolved following inspection	92.7	95.1	90.4	98.2

Use of consultation desks

According to the figures provided by the Labor Inspectorate, as at September 2005 11785 individuals had consulted the consultation desks that the Inspectorate is establishing for the general public. However, the discussion with the evaluation team indicated that the nature of the consultation desks was different in each region with some regions having regular access and other not. It was quite unclear whether the desks were operating merely to take complaints by members of the public or whether they were actually providing some degree of advice in each instance.

Conclusions

The support provided to the labor inspectorate included advice, provision of guidance, the input of international experts, development of the computer system and support for a trip to consider the way in which a comparable country carried out inspections. The indicators examined about do suggest that there has been a qualitative improvement in the performance of the labor inspectorate and that a number of these improvements can be directly linked to the project's activities.

Final implementation status

Findings

Labor law reform

The progress of this aspect of the project has not been as complete as envisaged in either the original project plan or the revised work plans.

The project team have, over the period of time that the reform of Labor law has been a live issue, had many formal and informal meetings with the parties involved in this process. There appears to be no doubt amongst those involved in this process that the project has made a major contribution to moving the process towards a resolution with the adoption of a new Labor code. Key contributions of the project identified include:

- Providing a neutral space where the various competing parties could discuss reform of Labor law
- Exposing the parties to international experience and best practice

- Ensured at all times that what came out of the process was a 'Ukrainian product'
- Whenever there were areas of disagreement and ILO comments were sought, these comments resolved many of the areas of disagreement.

The lead Parliamentarian on the new code compared the process supported by the ILO project in developing a new Labor code with that which related to the drafting of the Ukrainian Constitution and expressed the opinion that process supported by the project was substantially superior, both in terms of its transparency, stakeholder involvement and the quality of the technical advice and support provided through the ILO project.

There are a number of outstanding issues in relation to Labor law reform where there is an ongoing conflict between the trade unions, employers' organizations and Government. These include conflicts over whether or not there should be a mandatory requirement for collective agreements, something claimed by the trade unions and also whether workers should still have the right, that provided for in Soviet Labor law, to petition for the dismissal of a manager. The project has worked hard to clarify the position of international law on these issues and has pointed out to the trade unions that there is nothing in freedom of association law which requires mandatory collective bargaining and also pointed out the very real difficulties in applying for the provisions which allow workers to dismiss their managers when their managers can also be the owner of the enterprise.

None the less, the new Labor Code is unlikely to be passed by the Ukrainian parliament before March 2006 at the very earliest. This has left the project with a major, if not the major, objective unrealized. In the opinion of the evaluation team, however, this is in no way due to any failings on the part of the project or lack of foresight or in appropriate project design. All of the interventions of the project have been both timely and appropriate. Once the draft labor law found its way into the parliamentary process, the project inevitably had to take a clear line by staying out of any discussions. The fact that the Ukrainian political situation has been so complex and difficult since the law went into Parliament could not have been recently anticipated and, even if it had, there is nothing that the project could have done in order to force parliament to adopt the rules.

The performance indicators in the performance management plan are not available at this point to judge the impact of the ILO intervention on labor law reform as the parliamentary process has delayed implementation.

Labor Inspectorate

The implementation of training with the Labor Inspectorate has been completed according to the workplan and agreement with the Inspectorate and has been done so within budget. The computer system developed by the Inspectorate with the assistance of the project is now in place and appears to be fully operational. The PMP indicators suggest – as is set out above – that the Labor Inspectorate is functioning and all of the inputs from the project have been completed.

Collective bargaining

The master collective agreements are in place and, according to the PMP indicators, are being used on a regular basis. Most of seminars envisaged in the revised project workplan have been held and crucial publications have been published.

Legal resource center

“without the project there would not even be a draft Labor code” – employers representative

“the process would have taken much longer without the intervention of the project” – trade union representative

“on the legal side, the project’s mission was clearly accomplished” – parliamentarian

One of the more problematic areas of the project has related to the establishment of the Legal Resource Center. The aim of this Center was to provide a document resource Center on Labor law issues and also to provide for a desk which can provide some advice and information on Labor law. Once this information Center was established it was well used by the parties involved in the drafting of the labor law. This appears to be particularly so from members of the Ministry of Labor and Social Partnership. However, difficulties have arisen as a result of some misunderstandings with the Ministry with regard to proprietary issues on the resources in the Center. During the major stakeholder visit to Geneva in 2004, it appeared that the full Legal Resource Center was essentially disbanded with its resources, in terms of books, materials and computers, distributed around the Ministry. This followed a real organisation within the Ministry and the dissolution of the Department which was responsible for the Legal Resource Center. It took members of the project team some two months to recover all of the resources.

The Center has now been re-established and is regularly staffed by members of the legal department of the Ministry for Labor and Social Partnership. The evaluation team visited the Center and saw that it is comprised of an impressive collection of materials, both national and international, and a number of computers. There does not, however, appear to be a regular staff on rota which means that those attending the Center will be guaranteed to be provided with information about Labor law from somebody who has a detailed knowledge of the subject. Further, there was no detailed statistical information available about who attends the Center. However, it would seem that the stakeholder group which makes best use of it is that comprised of officials of the Ministry. The evaluation team was informed that there seems to be some difficulty for non-ministry staff to access the Center due to its location within the Ministry.

Conclusions

The project has produced a substantial amount of activities both in terms of seminars, conferences, organized trips, publications, web based materials and more. The evaluation team were impressed at the organization of the work plan and the fact that nearly all of the planned activities have taken place where possible. As can be seen from the two annexes on publications and seminars there has been widespread distribution and attendance at conferences. The project has managed to reach all of the target groups. It has all been done with tight financial control and goods achievement of budgetary targets.

The major obstacles that have been encountered during the course of the project have been political, with the events of 2004 being the most obvious. However, the project team have retained an important flexibility with regard to their implementation of the project work plan and on occasion have taken justifiable decisions to refocus on other aspects of the project temporarily while other issues are considered to be unachievable. One such example was the suspension of training activities during the course of the events of late 2004 and early 2005.

Sustainability of project results

Key to the project's sustainability plan are: working with other stakeholders; the production of high-quality guidance and publications; training of trainers to pass on learning gained in the project to a wider group of stakeholders; obtaining of further funding to continue work. The project has worked with a wide range of stakeholders – particularly trade unions and employers' organizations. As a result, various of these stakeholder organizations have either used project materials and training courses in their own context or developed new materials or courses based on those created by the project. As a result, key outputs from the project will be replicated in the medium to long term. A reasonable number of trainers have also been directly trained by the project to disseminate learning from the project. Finally, the project has obtained further funding to continue aspects of its work, with other aspects of the work being taken up by the Swedish-funded project, Labor Market Dialogue.

The project has fortunately been able to obtain funding from GTZ in Germany to continue. While the exact objectives of the project may change with the new funder, the core team will remain in place and many of the activities will continue. This will give the project a further number of years to consolidate its achievements.

A number of the project's results are already clearly sustainable, including the following.

Labor law reform

The laws which have been reformed with the assistance of the project – for example the law on employer's organizations – will have a long-term and sustainable effect in Ukraine. Without the laws, for example, employers' organizations would be functioning under the inadequate regime previously in existence, which was, according to the employers' groups, hampering their development.

When the new labor code is eventually in place this will lead to tangible sustained outcomes that can be directly traced to the project. The materials generated during the course of the drafting of the labor code provide a useful and important resource for any future efforts to improve the legislation, provided that they are kept in a place which is open and accessible.

Training and materials

Where they have taken place training of trainer sessions have meant that a group of individuals will now be able to pass on the knowledge and skills gained as a result of engagement with the project to a wide range of participants.

The materials produced by the project will remain in circulation and provide useful – although gradually dated – support for those working on the various subjects covered by the project.

The various trade union and employers organisation train the trainers sessions that have been held support the sustainability of the approaches developed in the context of the project.

One particular example worth noting with regard to materials produced under the auspices of the project relates to a book on labor relations and collective bargaining produced with the National Council for Social Partnership. This book has been sent to the leading Universities in Ukraine to use in their management training. Also the book and issue of social partnership has been taken up by the Presidential Academy of State Management. This institution is very important in the training of state officials at a national and regional level. All officials passing through this institution will now have a 25-hour course on social partnership, using project-derived techniques and materials.

Similarly, the National Service of Mediation and Conciliation has produced 1000 copies of joint guidance with the project which have been distributed to trade unions and government agencies.

However, some stakeholders – including representatives of employers' organizations – have indicated that they do not yet feel able to deliver training themselves yet and want more project delivered training. However, others are pushing ahead with training courses which have either been developed with the project or based on project activities, for example the Federation of Ukrainian Employers was due to hold the next round of its own courses on collective bargaining on 26/27 October 2005. Similarly, the Nuclear Power Workers Trade Union explained to the evaluation team how members of its leadership had attended the workshop on collective bargaining and gender and had subsequently expanded similar activities to its own membership. The difference between the organizations who are developing the project activities themselves and those who are not, appears to be predominantly a question of resources.

Grass roots representatives of the National Conciliation and Mediation Service suggested that some of the materials of the training course were not practical enough and could not be replicated at lower levels in the organization – to the extent that this is valid, this clearly has a negative impact on sustainability.

The Labor Information Center may also be a future resource which is sustainable, but some of the difficulties that have beset the Center in the past need to be overcome first. If the issues around access and ownership of the center can be resolved, then the collection of materials and information that has been established in the Center provide a sustainable resource for the study and development of labor rights. There are systems in place to renew

the subscriptions for publications contained in the Center, although there would have to be a budgetary source for the money for any paid subscriptions.

Providing space for the social partners to learn to work with each other

One factor arising from a number of aspects of the project's work which should not be underestimated when considering the realization of Objective 3 is the fact that on many occasions both of the social partners and representatives of government have found themselves around the table having to discuss the future of labor relations in the Ukraine. Further, they have also had to agree between them an appropriate course of action to take matters forward. One of the places where this has happened is in the project advisory committee (PAC). This committee has met regularly throughout the life of the project and has both provided useful guidance, support and legitimacy for the project, but has also been a place where the social partners and Government have reached agreement and sought compromise, providing both relationships and skills within the leadership of the various organizations the long-term effect of which should not be played down. Similarly, as a result of the projects firm and persistent organization of tripartite working groups and committees around the drafting of the new Labor law there has been a similar process of discussion, compromise and negotiation which has only sought to strengthen the perception of the projects involvement as an honest party in the development of the Labor law, but also can be seen as a very beneficial output in itself with regard to the third objective.

Indicator 3E.
Usefulness of project's educational efforts on collective bargaining: # of survey respondents educational efforts as "useful" or "highly useful"

42% - "useful"

58% - "highly useful"

Relationships

The change in relationships between the social partners has been a very obvious outcome of the project's activities. Through the first and third objective, and through general co-operation on the management of the project, the quality of interaction between employers' organizations and trade unions – and Government – has substantially improved. While difficult to objectively measure, this was the opinion stressed by many of the stakeholders interviewed during the evaluation mission. There were no suggestions that the relationships between the parties had got worse as a result of the project's activities. The capacity of this new set of understandings and relationships to bring about future positive change in employment related matters in accordance with the overall objectives of the project should not be underestimated. A challenge for the next phase of the project may be to further institutionalize these relationships.

Strengthening capacity

Through the training activities and training of trainers, as well as the experience of involvement in project activities, a range of the stakeholders from trade unions, through employers to Government officials, inspectors and conciliators have improved their skills and abilities. It is the opinion of many of the stakeholders involved that these individuals will use their abilities in the future in the sphere of labor relations. For example, the fact that there are now 520 qualified labor arbitrators and 120 labor mediators is of real and substantial long-term impact. The development of laws on employers organizations and trade unions under the auspices of the project have clear long-term advantages with regard to the institutionalization of these bodies and, as a result, the sustainability of the whole range of objectives of the project.

Improving the capacity and performance of the Labor Inspectorate

One of the clearest instances of sustainable change implemented by the project is the development of the capacity and performance of the Labor Inspectorate. All of the indicators are that, while still stretched on occasion, the Inspectorate have become more professional in their approach – for example the computerization of the system has allowed management to track the progress of all inspections and also identify issues of priority for future inspections. This change in practices will continue regardless of the future of the project.

Effectiveness of management performance

The management of this project has been carried out by the International Labor Organization in Geneva, Budapest and nationally. In accordance with the agreement between the US Department of Labor and the ILO the USDOL has not been directly involved on a day-to-day basis with management issues.

One factors which was identify it within the mid-term evaluation as an area that could benefit from some attention was the relationship between the International Labor Organization office in Geneva and the project, and in particular some of the technical backstopping for the project. All parties, both in the Ukraine and in Geneva, have indicated that this aspect of the project has improved substantially since the mid-term evaluation. The project team indicated that they receive timely responses to their queries and that the personnel operating in Geneva and Budapest of both highly skilled and knowledgeable about the subject upon which they are consulted.

With regard to the day-to-day management of the project, as with any such endeavor, there will inevitably be teething problems with regard to who is responsible for what aspects of the project. However, the project team in this instance has the advantage of being staffed by highly competent and motivated individuals and appears to have fallen relatively easily into a defined method of working, with the chief technical adviser providing support and guidance to the team, but also where appropriate keeping his distance from particularly National issues. The physical office layout of the project both reflects and reinforces their methodology in working.

The National project staff led by the National project coordinator appear to be well organized and knowledgeable about all aspects of the project. Credit must be given to the CTA for putting together such a solid team, which has remained near enough unchanged throughout the duration of the project.

Across the range up of stakeholders who were interviewed for the purposes of the evaluation, there was a consistent - almost surprising - high-level of praise for the project and the work of the project team. By all of the stakeholders with a day-to-day national responsibility for Labor relations issues the evaluation team were told time and again that individuals had almost daily contact with the project team. The complementary nature of the skills within the team was also raised on more than one occasion with stakeholders explaining how much it valued the way in which the CTA used his broad international experience and diplomatic skills to help steer the project, while the broad range of contacts, understanding and day-to-day managerial skills of the National project co-ordinator enabled the project's to move forward in a way that many other comparable project in Ukraine have been unable to do.

Effectiveness of project performance monitoring

A performance monitoring plan for the project was developed in November 2001 with the assistance of Management Systems International. The project staff had difficulty collecting data according to the initial indicators. A revised PMP was developed in April 2004, also with the assistance of MSI. The information was collected on a regular basis with quarterly reports. Some of the indicators chosen in the project management plan are quite clearly useful to the evaluation team in determining the impact of the project in an overall sense. However, as the for the use of the performance management plan to the project itself and those who have to manage it, this must be open to some question. The indicators used in relation to the reform of labor law are not really recorded until the reform is complete and, as such, still are not reported on.

With regard to the performance of the Labor Inspectorate and collective bargaining, these indicators clearly do show performance, but the project team indicate that they feel the results that are being measured are somewhat distant from the project itself and are matters that could not be influenced by the activities of the team. This is probably not a wholly accurate reflection, but as many of the statistics are provided by third parties, one can understand this point of view. Therefore, it may was be that the PMP does not reflect the work that they the project team are actually doing on a day-to-day basis. As such, it does not

influence their decision making and therefore cannot be said to have been wholly successful as a performance monitoring process. It also appears to have played little part in ILO Geneva's management and monitoring of the project.

An example relates to the important work which the project has been carrying out in relation to the implementation of reforms of the labor code. The project management plan's key indicators in this area are 1) the number of ILO comments adopted during the parliamentary process and 2) number of laws submitted according to schedule. The former is dependent on the parliamentary process a) happening b) being completed and the second is again something which is outside the control of the project team.

The team did also draft, redraft and constantly update work plans and regularly discussed where they were with implementation of such workplans and how to achieve the activities set out in the plan. This has led to a parallel project monitoring process that has helped keep the project on track and focused.

Lessons learned and best practices

One lesson that could be learned from this project in relation to the reform of labor law relates to the question whether or not, even though there have been substantial work with the tripartite communities, the project could have done more with the parliamentary process in order to try to ensure all that parliament accepted the draft has agreed by the social partners. This may at first sight appeared to be a relatively attractive proposition, but it would involve committing parliamentarians to give up some of their discretion in a law making.

Bearing in mind the, at times, overwhelming nature of the law reform aspect of this project, it may be that it should at times almost have been constituted as a separate project, funded separately and operating slightly at an arms length from the rest of the project. There may have been resource and staffing implications from this, but it may have made the operation of this aspect of the project more straightforward during the Parliamentary phase

The responsibilities and control of the Labor Information Center should have been much more clearly established at the beginning of the project. While the Legal Resource Center quite clearly played an important role in giving all of the relevant stakeholders access to a wide range of material during the drafting of the Labor Code, its exact role during the latter part of the project is open to question. This is in the main part to the difficulties encountered with the Ministry and the fact that for a longer period of time the Center was not properly operating. Combined with the fact that the Ministry has other important issues to deal with rather than guaranteeing that experts will be available to work in the Center and questions about the ease of access for members of the public to attend the Center when it is located within a government ministry, then there are serious questions about whether the Center would be best located somewhere else. One possibility would be the National Council for Social Partnership, however the fact that this is a presidential institution would leave it vulnerable to change, particularly following the reduction in the powers of the presidency following the parliamentary elections in March 2006.

In short, therefore it is recommended that the project look to seek a new home for the Legal Resource Center. Further, due to the high usage of the resources within the Center, it is probably the sensible approach to seek to duplicate some of the pay for materials contained in the Center and hold them within a defined room owned and controlled by the ministry of Labor and social partnership.

Bearing in mind the substantial effect that the trip of the Labor Inspectorate staff to Poland had on their perception of their activities and stimulated creative ways about the way in which they could do their work. While there are obviously resource and other implications arising from sending a large group of individuals to another country, rather than bringing international experts to the country of operation of the project, the practical nature of the Labor Inspectorate means that there would have been real benefits from sending the inspectors on an international trip earlier in the project.

While it is important to gain respect of the social partners at a high level, and this has been achieved to a substantial degree. The collective bargaining element of the project could perhaps have been extended to cover enterprises and regional unions to a greater degree than it has. While there have been a number of regional workshops, looking at more flexible and cost-efficient ways to work with employers and unions at a lower level could have lead to further results in the area of collective bargaining. This could have been done, for example, by placing more emphasis on training of trainers with unions and employer and placing stricter requirements on participants to demonstrate how they have incorporated materials and training into their own activities. It was difficult for the project evaluation team, with the resources and time available to it, to determine exactly how far down the social partners organization the effects of the project had penetrated.

Following on from this previous point, the project has quite clearly defined strategic partners in terms of the various trade unions, government bodies, employers and quasi state bodies such as the National Conciliation and Mediation Service. While the relationship with all of these groups has been very positive and the project has been able to utilize seminars and other resources provided by the partners to benefit the project's outcomes, there may be

occasions where the project could have demanded more of partners, particularly in terms of reporting how the resources, information and skills obtained from the project have been used.

To conclude, it is fair to say that this project is a well-managed, efficient use of international donor's money. It has carried out its work in a diligent and effective manner and has maintained the trust and respect of all of its stakeholders throughout the duration of its operation. It has produced results that are sustainable, appropriate and necessary for the future development of labor relations in the Ukraine.

Appendices

Appendix A: Individuals consulted by the evaluation mission

Ms.	Iryna	Akimova	Well-known Economist, Member of the Blue Ribbon Commission Report for the President of Ukraine
Mr.	Vladyslav	Andriyenko	Director of the Kyiv SLI
Mr.	Anatoliy	Bilousov	Deputy-Head of the NCSP
Mr.	Igor	Burakovskiy	Director of the Institute of the Economic Research
Mr.	Vyacheslav	Bykovets`	First Vice-President of the All-Ukrainian Association of Employers (AUAE)
Ms.	Gulbarshin	Chepurko	Deputy-Director of the Center of Sociological Expertise of the Sociological Institute of the National Academy of Sciences of Ukraine
Mr.	Stanislaw	Cieniuch	CTA, ILO Project
Ms.	Zinayida	Dolmatova	Executive Director of the Oblast Organization of Employers
Mr.	Olexander	Dudko	President of the Association of the Entrepreneurs and Employers of the Republic of Crimea
Mr.	John Robert	Fielding	AFL-CIO Solidarity Center in Ukraine
Mr.	Oleg	Gavrylov	Director of the Cherkassy Territorial SLI, Chief State Labor Inspector of the Cherkassy Oblast
Mr.	Volodymyr	Gryshchenko	First Deputy-Chairman of the Federation of Employers of Ukraine (FEU)
Ms.	Joanna	Kazana	Deputy-UN Resident Coordinator in Ukraine
Mr.	Vasyl	Khara	Head of the Parliamentary Committee on Labor and Social Policy
Mr.	Viktor	Khmilyovskiy	President of the Association of Leasers and Entrepreneurs of Ukraine (ALEU)
Ms.	Olga	Khomenko	Deputy-Director of the SLI, Head of the State Department of the Labor Legislation Observance
Ms.	Olga	Khomenko	Deputy-Chairman of the Federation of Trade Unions of Ukraine in Cherkassy
Mr.	Valeriy	Klymov	Deputy-Director of the National Service of Mediation and Conciliation
Ms.	Galyna	Kolosyuk	Vice-Chairman of the FTUU, member of the Tripartite Interdisciplinary Workgroup
Ms.	Tetyana	Korotchenko	National Coordinator of the Swedish Project "Labor Market Dialogue"
Mr.	Volodymyr	Kosmyna	Deputy-Head of the Cherkassy Oblast Administration
Mr.	Vasyl	Kostrysya	ILO National Correspondent
Mr.	Igor	Kovpak	Head of the Inspection Commission of VOST
Ms.	Ganna	Kucher	Senior Specialist of the SLI of the Cherkassy Oblast
Mr.	Yurij	Kurylo	Vice-President of the All-Ukrainian Association of Workers' Solidarity (VOST)
Ms.	Yulia	Lavrenchuk	Secretary, ILO Project
Mr.	Volodymyr	Los`	Director of the State Labor Inspectorate (SLI), Chief State Labor Inspector of Ukraine
Mr.	Yuriy	Lozovskiy	Head of the AUAE Inspection Commission
Mr.	Dmytro	Lyakh	First Deputy-Director of the SLI

Ms.	Kseniya	Lyapina	Member of Parliament
Mr.	Olexander	Martynenko	Baker and McKenzie, Partner
Mr.	Bronislav	Morozovych	Representative of the Office of the President of Ukraine
Mr.	Mick J	Mullay	Chairman of the CEUME Board Regional Director, Business Management Education in Ukraine Project funded by the USAED
Ms.	Yulia	Myrvoda	President of the Trade Union of the Air Stewards of the Company "International Airlines of Ukraine"
Mr.	Grygoriy	Nadvyga	Vice-Chairman of the CFTUU, Chairman of the Association of the Free Trade Unions of Railway Workers of Ukraine
Ms.	Vira	Nanivska	Director of the International Center for Policy Studies
Mr.	Francis	O`Donnel	UN Resident-Coordinator, UNDP Resident Representative in Ukraine
Ms.	Tetyana	Oliynyk	Adviser of the SLI
Mr.	Grygoriy	Ossovyj	Vice-Chairman of the Federation of Trade Unions of Ukraine (FTUU)
Mr.	Petro	Ovcharenko	Ex-First Deputy-Minister of Labor and Social Policy, Chairman of the Project Advisory Committee (2001 - 2003)
Mr.	Sergiy	Parhomenko	Executive Director of the Kyiv Employers` Organization "Social Partnership"
Ms.	Viktoriya	Podolnikova	Director of the Department on Social Policy of the FEU
Ms.	Tetyana	Prokopenko	Head of the Secretariat of the National Council of Social Partnership
Mr.	Pavlo	Prudnikov	Deputy Head of the Department of the Central Committee of the Nuclear Power Workers Trade Union
Ms.	Svitlana	Pryhod`ko	General Prosecutor's Office; former Deputy-Director of the Research Institute of Legislation
Mr.	Yuriy	Pryvalov	Director of the Center of Sociological Expertise of the Sociological Institute of the National Academy of Sciences of Ukraine
Ms.	Olga	Pylypchuk	Senior Expert of the Secretariat of the NCSP
Ms.	Maya	Remenchyts	Entrepreneur, National Consultant
Ms.	Iryna	Remezova	Head of the Regional Department of the National Service of Mediation and Conciliation
Ms.	Svitlana	Rodyna	Deputy Head of the Department of the Central Committee of the Agroindustrial Complex Workers Union, Member of the various Workgroups, including those tasked with development of the Law "On Collective Agreements" and master sectoral agreement
Mr.	Vasyl	Rudenko	Director of the National Service of Mediation and Conciliation
Mr.	Sergiy	Samoylenko	Finance Assistant, ILO Project
Mr.	Sergiy	Savchuk	Programme Assistant, ILO Project
Ms.	Yana	Sevastyanov a	Director of the Legal Department of the FEU
Mr.	Valentyn	Shabotynskiy	Head of the Labor Inspectorate in Kyiv Oblast
Mr.	Volodymyr	Sobolev	Professor of Economics and Management of the Kharkov National University
Mr.	Mykola	Soldatenko	Ex-First Deputy-Minister of Labor and Social Policy, Chairman of the Project Advisory Committee (2001 - 2003), Chairman of the Tripartite Interdisciplinary Group on the Development of the Draft Labor Code (2001-2005)

Mr.	Volodymyr	Stupak	Director of the Department for Development of Social Partnership, Internal and External Relations of the Ministry of Labor and Social Policy
Mr.	Alexander	Sydorenko	Executive Director of the Consortium for the Enhancement of Ukrainian Management Education (CEUME)
Ms.	Valentyna	Syza	US Embassy in Ukraine
Ms.	Lubov	Tkachenko	Head of the Department of Analytical and Legal Provision
Mr.	Vitaliy	Tovstopyat	Chairman of the Federation of Trade Unions of Ukraine in Cherkassy
Ms.	Iryna	Tubelets	Head of the Juridical Department of the Ministry of Labor and Social Policy of Ukraine
Mr.	Volodymyr	Tyotkin	Deputy-Minister of Labor and Social Policy, PAC Deputy-Co-chairman
Mr.	Sergiy	Ukrainets	Adviser of the Ombudsman of Ukraine
Mr.	Volodymyr	Varenysya	Press-Secretary of the National Council of Social Partnership (NCSP)
Ms.	Iryna	Vasylenko	Head of the Department of the Labor Legislation Observance
Ms.	Zoya	Vasylyova	Head of the FTUU Office, Labor Law Expert, Member of the Tripartite Interdisciplinary Workgroup on Labor Code
Mr.	Mykhaylo	Volynets	Chairman of the Confederation of Free Trade Unions of Ukraine (CFTUU), MP
Ms.	Nicole	Weber	US Embassy in Ukraine
Mr.	Olexandr	Yakubenko	Head of the Social Partnership and on Relations with the Trade Unions and Employers' Organizations Department of the Ministry of Labor and Social Policy of Ukraine
Ms.	Nadiya	Zarko	NPC, ILO Project
Ms.	Maryna	Zharkova	First Deputy-Director of the Cherkassy Territorial SLI, Deputy of the Chief Labor Inspector of the Cherkassy Oblast
Mr.	Viktor	Zhukov	Professor of the Sociology Chair of the Institute on Trainings for State Service of Employment, National Consultant

Appendix B: Members of the Project Advisory Committee

December, 20, 2001

Mr. Jean-Pierre Laviec	Director of the ILO Regional Office for Central and Eastern Europe. Budapest
Mr. Petro Ovcharenko	Slate Secretary of the Ministry of Labor and Social Policy, Chairman of the Advisory Committee
Mr. Mykhaylo Volynets	Chairman of the Confederation of the Free Trade Unions of Ukraine, MP
Mr. Viktor Herbeda	Chairman of the Federation of the Trade Union of Water Transport Workers of Ukraine
Ms. Iryna Golubeva	Chairman of the National Council of the Women of Ukraine
Ms. Valentyna Goshovska	MP, Head of the Parliamentary Committee on the Issues of Social Policy and Labor
Ms. Nadiya Grygorovych	Head of the Labor Statistics Department of the Slate Committee on Statistics of Ukraine
Mr. Gennadiy Groshylin	Director of the Department on Social Partnership of the National Association of Industrialists and Entrepreneurs
Mr. Olexander Dzhulyk	President of the All-Ukrainian Association of Workers' Solidarity
Ms. Nadiya Zarko	National Coordinator of the ILO Declaration Project of Ukraine
Ms. Nataliya Ivanova	Director of the Employment Center of the Ministry of Labor and Social Policy
Viktor Ivankevych	Head of the Department of the Reforms Strategy of Social Relations of the Secretariat of the Cabinet of Ministers of Ukraine
Ms. Valentyna Izovit	President of the Ukrainian Association of the Light Industry Enterprises
Mr. Grygoriy Kabanchenko	Chairman of the Trade Union of Certified Workers of the Ministry of Interior Affairs of Ukraine
Ms. Nina Karpachova	Ombudsman of Ukraine
Ms. Tetyana Kyryjan	Director of the Research Institute of Labor and Employment under the Ministry of Labor and Social Policy
Ms. Gulbarshyn Mimandusova	Deputy Director of the Institute for Social Expertises of the National Academy of Sciences of Ukraine
Mr. Olexiy Myroshnychenko	First Deputy Chairman of the Coordination Council of the Confederation of Employers of Ukraine; Vice-President of the Association of Industrialists and Entrepreneurs of Ukraine
Mr. Sergiy Melnyk	Deputy Director of the Scientific and Research Institute of Industrial Relations of the Ministry of Labor and Social Policy
Mr. Mykola Onishchuk	First Deputy Chairman of the Association of Lawyers of Ukraine
Mr. Grygoriy Osoviy	Deputy Chairman of the Federation of Trade Unions of

Ukraine

Mr. Volodymyr Pavlyshyn	Director of Department of Social Partnership Development, Internal and External Relations of the Ministry of Labor and Social Policy
Ms. Svitlana Pryhodko	Scientific Secretary of the Legislation Institute of the Ukrainian Parliament
Ms. Tetyana Prokopenko	Head of the Secretariat of the National Council of Social Partnership
Mr. Vasyl Rudenko	Head of the National Service of Mediation and Conciliation
Ms. Iryna Tubelets	Head of the Juridical Department of the Ministry of Labor and Social Policy of Ukraine
Mr. Volodymyr Tyotkin	Director of the State Department of Labor Legislation Observance, Senior State Labor Inspector of Ukraine
Mr. Viktor Khmilyovskiy	Deputy Chairman of the Coordination Council of the Confederation of Employers of Ukraine, President of the Association of Leasers and Entrepreneurs of Ukraine
Mr. Stanislaw Cieniuch	Chief Technical Adviser of the ILO Declaration Project in Ukraine

March 3, 2005

Ms. Petra Ulshoefer	Director, ILO Regional Office for Central and Eastern Europe, Budapest
Mr. Mykola Pasko	First Deputy Minister of Labor and Social Policy, Chairman of the Advisory Committee
Mr. Volodymyr Tyotkin	Deputy Minister of Labor and Social Policy, Chairman of the Advisory Committee
Mr. Vyacheslav Bykovets	First Vice-President of the All-Ukrainian Association of Employers
Mr. Mykhaylo Volynets	Chairman of the Confederation of the Free Trade Unions of Ukraine, MP
Mr. Viktor Gerbeda	Chairman of the Federation of the Trade Union of Water Transport Workers of Ukraine
Mr. Volodymyr Gryshchenko	First Deputy-Chairman of the Federation of Employers of Ukraine
Mr. Olexandr Dzhulyk	President of the All-Ukrainian Association of Workers' Solidarity
Ms. Nadiya Zarko	National Coordinator of the ILO Declaration Project of Ukraine
Mr. Grygoriy Kabanchenko	Chairman of the Trade Union of Certified Workers of the Ministry of Interior Affairs of Ukraine
Mr. Valeriy Klymov	Deputy Head of the National Service of Mediation and Conciliation
Mr. Volodymyr Los`	Director of the State Department of the Labor Legislation Observance, Chief State Labor Inspector of Ukraine
Mr. Sergiy Melnik	Deputy Director of the Scientific Research Institute of Industrial Relations of the Ministry of Labor and Social Policy
Mr. Vasyl Moysiuk	Head of the Central Council of Trade Union for Workers of Chemical and Petrochemical Industry

Mr. Ivan Novikov	Executive Director of All-Ukrainian Association of Sectoral Employers' Organizations of Employers of Chemical and Petrochemical Industry
Ms. Olga Novikova	Head of the Department on the Issues of the Social Safety of the Institute Economics of Industry of the National Academy of Science
Mr. Grygoriy Ossovy	First Deputy Chairman of the Federation of Trade Unions of Ukraine
Mr. Vassyl Piddubniy	Deputy Head of the Federation of Employers of Ukraine
Ms. Tetiana Prokopenko	Head of the Secretariat of the National Council of Social Partnership
Mr. Igor Rudenko	Senior Specialist of the Department of Strategy of Industrial Relations Reforming of the Secretariat of the Cabinet of Ministers of Ukraine
Mr. Volodymyr Stupak	Director of the Department for Development of Social Partnership, Internal and External Relations of the Ministry of Labor and Social Policy
Mr. Valeriy Tantsyura	Deputy Head of the Ministry on the Problems of Youth and Family
Ms. Iryna Tubelets'	Head of the Juridical Department of the Ministry of Labor and Social Policy of Ukraine
Mr. Victor Khmilyovskiy	President of the Association of Leasers and Entrepreneurs of Ukraine
Mr. Stanislaw Cieniuch	Chief Technical Adviser of the ILO Declaration Project in Ukraine
Ms. Gulbarshyn Chepurko	Deputy Director of the Institute for Social Studies of the National Academy of Sciences of Ukraine

Appendix C – seminars held under the project

Date	Venue	Organizer	Topic	# of Gov't representatives	# of workers' representatives	# of employers' representatives	# of independent mediators and arbitrators	Breakdown by sex		
								M	W	
05-07 December 2001	Rivne	National Mediation and Conciliation Service	"Promotion of settlement of collective labor disputes"	37	16	12	3	50	18	
23-24 April 2002	Chernivtsi	National Mediation and Conciliation Service	"The practice of collective labor dispute resolution"	21	9	8	12	35	15	
23-24 May 2002	Mykolayiv	National Mediation and Conciliation Service	"Promotion of settlement of collective labor disputes"	32	11	12	9	38	26	
01-05 July 2002	Svityaz	National Mediation and Conciliation Service	"Practice of settlement of collective labor disputes (conflicts) with the participation of conciliation commissions, independent mediators, labor arbitrages"	20	21	15	12	40	28	
08-09 October 2002	Chernihiv	National Mediation and Conciliation Service	"Forms and methods of prevention of collective labor disputes (conflicts) and assisting in their opportune settlement"	29	11	9	11	49	11	

11-13 November 2002	Slavyanogorsk	National Mediation and Conciliation Service	"Collective bargaining and signing collective agreements at regional level, prevention of collective labor disputes (conflicts) and assisting in their opportune settlement"	33	19	9	10	43	28
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Date	Venue	Organizer	Topic	# of Gov't representatives	# of workers' representatives	# of employers' representatives	# of independent mediators and arbitrators	Breakdown by sex	
								M	W
03-04 March 2003	Kyiv	National Mediation and Conciliation Service	"Theory and practice of collective labor disputes resolution: national experience, international practices"	10	8	3	34	38	17
				Scientists, researchers, experts, consultants, statisticians and others				6	4
				Total # of participants :				44	21
23-24 April 2003	Cherkassy	National Mediation and Conciliation Service	Training seminar on mediation and conciliation of collective labor disputes	8	8	4	45	41	24
Total on the National Mediation and Conciliation Service								340	171

# of Gov't representatives	190
# of WO's representatives	103
# of EO's representatives	72
# of representatives from NMCS, labor arbitrators	136
Scientists, researchers, experts, consultants, statisticians and others	10
Total on the National Mediation and Conciliation Service training courses	511

Date	Venue	Organizer	Topic	# of Gov't / Labor Inspectorate representatives	# of workers' representatives	# of employers' representatives	Breakdown by sex		# of participants
							M	W	
19-20 February 2002	Kharkiv	State Labor Inspectorate	Role and tasks of the State Labor Inspectorate in establishment of the new system of labor relations in the context of transition period	59	1	4	36	28	64
19-20 March 2002	Zhytomyr	State Labor Inspectorate	Role and tasks of the State Labor Inspectorate in establishment of the new system of labor relations in the context of transition period	58	1	4	35	28	63
24-25 April 2002	Lutsk	State Labor Inspectorate	Role and tasks of the State Labor Inspectorate in establishment of the new system of labor relations in the context of transition period	57	1	4	31	31	62
29-30 May 2002	Khmelnitskiy	State Labor Inspectorate	Role and tasks of the State Labor Inspectorate in establishment of the new system of labor relations in the context of transition period	46	1	4	32	19	51
10-11 July 2002	Chernivtsi	State Labor Inspectorate	Role and tasks of the State Labor Inspectorate in establishment of the new system of labor relations in the context of transition period	50	1	4	19	36	55
20-21 August 2002	Mykolayiv	State Labor Inspectorate	Role and tasks of the State Labor Inspectorate in establishment of the new system of labor relations in the context of transition period	59	1	4	24	40	64

18-19 September 2002	Alushta	State Labor Inspectorate	Role and tasks of the State Labor Inspectorate in establishment of the new system of labor relations in the context of transition period	68	1	4	32	41	73
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Date	Venue	Organizer	Topic		# of Gov't representativ es	# of workers' representatives	# of employers' representat ives	Breakdown by sex		To of pa pa
								M	W	
24-25 October 2002	Lugansk	State Labor Inspectorate	Role and tasks of the State Labor Inspectorate in establishment of the new system of labor relations in the context of transition period		68	1	4	25	48	73
21-22 November 2002	Chernihiv	State Labor Inspectorate	Role and tasks of the State Labor Inspectorate in establishment of the new system of labor relations in the context of transition period		51	1	4	19	37	56
12-13 February 2003	Poltava	State Labor Inspectorate	Reforming the State Labor Inspectorate and rising its efficiency	# of Gov't represent atives						
				12	26	8	4	34	16	50
12-15 June 2003	Sevastopol	State Labor Inspectorate	Discussion of the new draft Labor Code	6	23	2	3	22	12	34
21 – 23 July 2004	Kherson	State Labor Inspectorate	Training seminar on practical use of the computer-aided system on monitoring of the violations of labor legislation; establishment of consultancy desks	3	34	1	1	22	17	39

14-15 September 2004	Lutizh village	State Labor Inspectorate	Training seminar on practical use of the computer-aided system on monitoring of the violations of labor legislation	4	30	---	3	11	26	37
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Date	Venue	Organizer	Topic	# of Gov't representatives	# of workers' representatives	# of employers' representatives	Breakdown by sex		Total # of participants
							M	W	
24-25 January 2005	Lutizh village	State Labor Inspectorate	Training seminar on practical use of the computer-aided system on monitoring of the violations of labor legislation	35		3	21	17	38
29.05.-06.06 2005	Wroclaw (Poland)	Declaration Project	Study-visit of the regional state labor inspectors to the Training Center of the Polish Labor Inspectorate.	18			10	8	18
24-25 November 2005	Kyiv		Conference	50	5	15	40	30	70
Total on the State Labor Inspectorate:				682	20	50	413	434	847

Date	Venue	Organizer	Topic	# of Gov't representatives	# of workers' representatives	# of employers' representatives	Breakdown by sex		Total # participants
							M	W	
13-14 June 2002	Ivano-Frankivsk	Social Partnership Department of the Ministry of Labor and Social Policy	Ways to increase efficiency of bargaining process at regional level	23	19	19	41	20	61
16-17 July 2002	Zaporizhzhya	Social Partnership Department of the Ministry of Labor and Social Policy	Collective bargaining	23	20	25	50	18	68
25 June 2002	Lutizh village	Ministry of Labor and Social Policy of Ukraine	Ways to reform of the national labor legislation at the current stage of the Ukraine's socio-economic development	47	10	6	60	25	85
17 May	Kyiv	Association of Leasers and Entrepreneurs	"Place and role of the EO's in social partnership: realities and	2	4	49	35	20	55

2002		Ukraine	perspectives”						
Total:				95	53	99	186	83	269

Date	Venue	Organizer	Topic	# of Gov't representatives	# of workers' representatives	# of employers' representatives	# of independent mediators and arbitrators	Breakdown by sex	
								M	W
29-30 August 2002	Odessa	Federation of Trade Unions of Marine Workers	Collective bargaining at sectoral level	8	15	15	----	30	8
21-28 September 2002	Kyiv	Declaration Project	Seminar "Freedom. Development. Justice"	6	11	9	9	22	13
01-02 October 2002	Dimitrov	Confederation of Free Trade Unions of Ukraine	Respect of the principle of freedom of association and collective bargaining in mining sector	8	37	7		45	7
16 October 2002	Kyiv	Center of Social Studies	"Updating approaches and strategies at the modern stage of social and economic development"		44			35	9

17 October 2002	Odessa	Federation of Trade Unions of Marin Workers	"Collective labor law in the context of reforming of the national labor legislation"	6	25	7	12	36	14
Total:				28	132	38	21	168	51

Date	Venue	Organizer	Topic		# of Gov't representatives	# of workers' representatives	# of employers' representatives	Breakdown by sex		Total # of participants
								M	W	
24-25 October 2002	Lviv	All-Ukrainian Association of Workers' Solidarity (VOST)	The status of observance of the principles of freedom of association and collective bargaining at enterprise level		4	27	3	18	16	34
06 November 2002	Kyiv	Center of Social Studies	"Updating approaches and strategies of employers' organizations at the modern stage of social and economic development of Ukraine"				40	33	7	40
05-06 December 2002	Dnipropetrovsk	Trade Union of Agricultural Workers (Dnipropetrovsk branch)	The status of observance of the principles of freedom of association and collective bargaining in the agricultural sector		16	31	11	45	13	58
17 December 2003	Kyiv	Center of Social Studies	PAC	Scientists, researchers	14	18	10	34	16	50
				8						
31 January 2003	Lutizh village	Ministry of Labor and Social Policy of Ukraine	"Principles of freedom of association, collective bargaining at all levels and procedures of settlement of collective		22	21	17	49	11	60
					# of representatives the NMCS, labor arbiters			5	2	7

			labor disputes"	Scientists, researchers, experts, consultants, statisticians and others	8	4	12
				# of representatives the National Council of Social Partnership	1	2	3
Total # of participants :					63	19	82

Date	Venue	Organizer	Topic	# of Gov't representatives	# of workers' representatives	# of employers' representatives	Breakdown by sex		Total # participants
							M	W	
16 January 2003	Kyiv	Federation of Employers of Ukraine	"Place and role of employers' organizations in labor administration "	7		44	36	15	51
27-28 February 2003	Sumy	Sumy Regional Trade Union Council	"Ways of rising efficiency of the bargaining process at different kinds of enterprises of one region"	15	28	32	55	20	75
11 April 2003	Kyiv	Trade Union of Public Services	"Ways of rising efficiency of the bargaining process at regional level"	20	41	39	62	38	100
29-30 May 2003	Rivne	Rivne Regional Public Administration	"Ways of rising efficiency of the bargaining process at different kinds of enterprises of one region"	16	22	32	36	34	70
14-17 April 2003	Kyiv	Center of Social Studies	"Technical seminars to improve the draft Labor Code Scientists, researchers, experts, statisticians and others	8	10	9	24	11	35

				8						
20 May 2003	Kyiv	Center of Social Studies	Project Advisory Committee meeting	Scienti sts, resea rch ers	13	11	8	27	11	38
				6						

Date	Venue	Organizer	Topic	# of Gov't representatives	# of workers' representatives	# of employers' representatives	Breakdown by sex		Total # of participants
							M	W	
22-29 July 2003	Lutizh village	Ministry of Labor and Social Policy of Ukraine	Improvement of the text of draft Labor Code	7	5	3	8	7	15
30-31 October 2003	Cherkassy	State Labor Inspectorate	Discussion of the new draft Labor Code	14	37	16	45	22	67
25 November 2003	Kyiv	Secretariat of the Parliamentary Committee	Presentation of the draft Labor Code to the Parliament	19	26	25	41	29	70
23 January 2004	Kyiv	Center of Social Studies	Project Advisory Committee meeting	14	13	13	29	11	40
29-30 January 2004	Lviv	State Labor Inspectorate	Discussion of the amendments to the new draft Labor Code for the Parliamentary 2nd reading	17	22	20	38	21	59
1-5 March 2004	Kyiv	Center of Social Studies	Seminar on Project's performance monitoring (USDOL/MSI mission)	25	20	15	42	18	60
19 - 24 April 2004	Lutizh village	Secretariat of the Parliamentary Committee	Technical seminar on finalizing the draft Labor Code by the Parliamentary 2nd reading	5	2	3	4	6	10

Date	Venue	Organizer	Topic	# of Gov't representatives	# of workers' representatives	# of employers' representatives	Breakdown by sex		Total # of participants
							M	W	
12 -13 May 2004	Lutizh village	National Council of Social Partnership	Current problems of development of social partnership in Ukraine, rising efficiency of collective bargaining at regional level	13	18	11	29	13	42
				# of representatives NMCS, labor arbiters			1	---	1
				Scientists, researchers, experts, consultants, statisticians and others			11	3	14 (including ILO)
				# of representatives of the regional councils of social partnership			83	10	93
				Total # of participants :					
22 - 25 June 2004	Lutizh village	National Council of Social Partnership	Technical seminar to finalize the text of the draft-Law "On Social Partnership "	Scientists, researchers, experts - 2			5	3	8
				2	2	2			
					34				

26 October 2004	Kyiv	All-Ukrainian Association of Employers	Roundtable "Legal and practical framework of EO's"	6		44	30	20	50
14-15 February 2005 (originally planned for 25-26 Nov 2004)	Kyiv	Consortium for Enhancement of the Ukrainian Management Education	Roundtable "Problems of labor relations at SME's within the framework of the conference "Barriers and opportunities for SME's development in Ukraine"	25	15	15	50	40	90
				35					

Date	Venue	Organizer	Topic	# of Gov't representatives	# of workers' representatives	# of employers' representatives	Breakdown by sex		Total # of participants
							M	W	
1 March 2005	Kyiv	Center of Social Studies	Project Advisory Committee meeting	14	13	13	29	11	40
15-18 March 2005	Vorzel	All-Ukrainian Association of Employers	Training of trainers—employers' representatives on management of and EO and collective bargaining			24	14	10	24
14 April 2005	Kyiv	National Council of Social Partnership	Roundtable for tripartite constituents at national and local levels, researchers on „Efficient model of social dialogue”	# of representatives public authorities		19	37	23	60
				# of workers' representatives		9			
				# of employers' representatives		11			
				Independent mediators and arbitrators		7			
				Scientists, researchers, experts, consultants, statisticians and others		9			
				# of representatives the National Council of Social Partnership		5			
11-14 April 2005	Lutizh village	The Center of Social Studies	Training of trainers-workers' representatives on freedom of association, gender mainstreaming in collective bargaining		28		18	10	28

Date	Venue	Organizer	Topic	# of Gov't representatives	# of workers' representatives	# of employers' representatives	Breakdown by sex		Total # of participants
							M	W	
24-25 May 2005	Kyiv	National Council of Social Partnership	Training seminar for the representatives of public authorities on labor administration at sectoral and regional levels	# of representatives public authorities		40	18	32	50
				# of workers' representatives		2			
				# of employers' representatives		1			
				Independent mediators and arbitrators		2			
				International experts , ILO representatives		4			
				# of representatives the National Council of Social Partnership		1			
23 June 2005	Kyiv	The Center of Social Studies	Roundtable to discuss the findings of the research on gender mainstreaming in the acting CB agreements	# of representatives from public authorities		8	11	24	35
				# of workers' representatives		7			
				# of employers' representatives		8			
				Scientists, researchers, experts, consultants, statisticians and others		12			
6 December 2005	Kyiv	The Center of Social Studies	Project Advisory Committee meeting	14	13	13	29	11	40

Appendix D – Statistical overview of seminars

Participants in the seminars	Total # of participants in the seminars
Total number of seminars:	62
ILO representatives	50
Representatives from US DOL	4
Gov't representatives	715
WO's representatives	754
EO's representatives	691
Independent mediators and arbitrators	153
State labor inspectors	732
Scientists, researchers, experts, consultants, statisticians and others	228
# of representatives from the National Council of Social Partnership	102
Total # of participants in the seminars:	3375

- including men	2098
- including women	1255
% of men/women	62,5 % / 37,5 %

Appendix E: incoming missions

Name of Official	Purpose (in each place of mission)	Technical Field/Programme Concerned	Strategic Objective Addressed	Mission period from (Month/Day/Year)	Mission period to (Month/Day/Year)	Date mission report received (Month/Day/Year)
Kari Tapiola	Launch of the Project	ILO Declaration Project in Ukraine	1. The participants were addressed at the launch ceremony. 2. A number of meetings with Ukrainian tripartite constituents was held to assure their support to and involvement in the Project implementation.	September , 30, 2001	October, 3, 2001	
Orphal Hembrechts	Launch of the Project	ILO Declaration Project in Ukraine	1. The participants were addressed at the launch ceremony. 2. A number of meetings with Ukrainian tripartite constituents was held to assure their support to and involvement in the Project implementation.	September , 30, 2001	October, 3, 2001	
Slava Egorov	Launch of the Project	ILO Declaration Project in Ukraine	1. The participants were addressed at the launch ceremony. 2. A number of meetings with Ukrainian tripartite constituents was held to assure their support to and involvement in the Project implementation.	September , 30, 2001	October, 3, 2001	
Ludek Rychly	1. Participation in the 1st PAC meeting.	ILO Declaration Project in Ukraine	Representation of the ILO at the PAC meeting; meetings with the key Project stakeholders and the UNDP-Ukraine	December, 19, 2001	December, 20, 2001	

Slava Egorov	Participation in the development of the concept paper for the labor law reforming in Ukraine	ILO Declaration Project in Ukraine	A series of consultations with labor law reserachers and legal experts from workers' and employers' organizations was held to assure the participatory approach towards preparastion of the concept paper	April, 17, 2002	April, 20, 2002	
Youcef Ghellab	Participation in the 2nd PAC meeting	ILO Declaration Project in Ukraine	Representation of the ILO at the PAC meeting; meetings with the key Project stakeholders and the UNDP-Ukraine	May, 20, 2002	May, 20, 2002	June, 7, 2002
Stephen Oates	Participation in national tripartite conference on labor law reform (Lutij, 25 June 2002)	ILO Declaration Project in Ukraine	Representation of the ILO-HQ at the conference; participation in the debate on the concept paper of the labor law reforming in Ukraine	June, 23, 2003	June, 26, 2003	August, 21, 2003
Friedrich Buttler	Participation in the 3rd PAC meeting	ILO Declaration Project in Ukraine	Representation of the ILO at the PAC meeting; meetings with the key Project stakeholders and the UNDP-Ukraine	December, 16, 2002	December, 18, 2002	December, 20, 2002
Jean-Marie Standaert	Participation in the seminar for employers "Place and Role of the Employers' Organizations in Regulation of Industrial Relations" (Kyiv, 16 January 2003)	ILO Declaration Project in Ukraine	Participants were exposed to the international experiences of capacity building of employers' organizations in other countries in transition. Separate consultations with key Ukrainian employers' organizations were held	January, 15, 2003	January, 17, 2003	January, 20, 2003

Petra Ulshoefer	1. Establishing contact with the Ukrainian government authorities and social partners. 2. Participation in the national tripartite seminar on Freedom of association and collective bargaining organized by the Declaration Project (Lutij vilage, 31 January 2003). 3. Provision of specific suggestions and recommendations on how to mainstream gender throughout all components of the Project	ILO Declaration Project in Ukraine	1. A series of meetings with the tripartite constituents was conducted. 2. A solid contribution to the debate on the respect of the freedom of association collective bargaining was made. 3. Much time was devoted to the gender awareness raising of the Project stakeholders	January, 27, 2003	February, 1, 2003	March, 8, 2003
Marleen Rueda-Catry	1. Participation in the national tripartite seminar on Freedom of association and collective bargaining organized by the Declaration Project (Lutij vilage, 31 January 2003). 2. Provision of specific suggestions and recommendations on how to mainstream gender throughout all components of the Project	ILO Declaration Project in Ukraine	1. A series of meetings with key implementing agencies of the Project's activities was conducted. 2. A solid contribution to the debate on the respect of the freedom of association collective bargaining from the gender perspective was made. 3. Much time was devoted to the gender awareness raising of the Project stakeholders. 4. Specific suggestions as to the gender mainstreaming of the Project were given	January, 27, 2003	February, 1, 2003	March, 8, 2003
Ludek Rychly	Participation in the national tripartite seminar on Freedom of association and collective bargaining organized by the Declaration Project (Lutij vilage, 31 January 2003)	ILO Declaration Project in Ukraine	Participants were presented Mr. Rychly's paper "Social Dialogue at National Level in the EU Accession Countries" and answered their questions on the paper	January, 30, 2003	January, 31, 2003	See the PAC meeting report dated February, 4, 2002

Wolfgang Richthofen	von	1. Participation in the national training seminar for the state labor inspectors. 2. Presentation of the Ukrainian version of Mr. Von Richthofen's book "Labor Inspection: A Guide to the Profession"	ILO Declaration Project in Ukraine	1. Participants were widely exposed to the international experiences of the labor inspection system reform. 2. Mr. Von Richthofen made a presentation of his book "Labor Inspection: A Guide to the Profession". 3. The Ukrainian version of the book was distributed among the participants	February, 8, 2003	February, 14, 2003	March, 15, 2003
Giuseppe Casale		Participation in the tripartite workshop on the settlement of collective labor disputes (Kyiv, 3-4 March, 2003)	ILO Declaration Project in Ukraine	Participants were given a comparative presentation on major system of labor dispute settlement and distributed the ILO materials, including the Ukrainian version of Mr. Casale's report on collective bargaining in the CEE countries	March, 3, 2003	March, 4, 2003	March, 21, 2003
Slava Egorov		Assisting the Ukrainian drafters of the Labor Code in finalization of the Draft conformity with the ILO's standards.	ILO Declaration Project in Ukraine	The Ukrainian drafters received valuable recommendations which were further followed in the course of the Labor Code drafting	April, 13, 2003	April, 17, 2003	July, 31, 2003; (see also the Project Status Report dated May, 31, 2003)
John Ritchotte		Participation in the 4th PAC meeting	ILO Declaration Project in Ukraine	A series of meetings and stakeholders was held to define the competences of the Project and the Ministry of Labor and social partners at the final stage of the Labor Code drafting	May, 18, 2003	May, 22, 2003	See the PAC meeting report dated May, 24, 2003 as well as the Project Status Report dated May, 31, 2003

Slava Egorov	1. Assisting the Ukrainian tripartite constituents in getting the Draft Labor Code ready for submission to the Cabinet of Ministers and the Parliament. 2. Participation in the session of the National Council for Social Partnership (Kyiv, 17 July, 2003) convened to discuss the the Draft.3. Discussion of the ILO technical assistance on this subject with the Ministry of Labor and the Project after the submission of the Draft to the Parliament.	ILO Declaration Project in Ukraine	1. The Ukrainian tripartite constituents were assisted in getting the Draft Labor Code ready for submission to the Cabinet of Ministers and the Parliament. 2. A significant contribution to the debate on the draft was made at the National Council for Social Partnership meeting (Kyiv, 17 July, 2003).3. The ILO technical assistance on the Draft support after its submission to the Parliament was discussed with the Ministry of Labor and the Project	July, 2003 7,	July, 2003 18,	July, 2003 31,
Arturo Bronstein	Introducing the comments made by the Office on a Draft Labor Code for Ukraine.	ILO Declaration Project in Ukraine	Ukrainian tripartite constituents were presented the ILO comments on the draft labor Code. The follow up action was taken under discussion.	November 24, 2003	November 27, 2003	December 09, 2003
Slava Egorov	Introducing the comments made by the Office on a Draft Labor Code for Ukraine.	ILO Declaration Project in Ukraine	Ukrainian tripartite constituents were presented the ILO comments on the draft labor Code. The follow up action was taken under discussion.	November 24, 2003	November 27, 2003	December 09, 2003
Jean-Marie Standaert	Holding of the "training of trainers" activity for employers (15-18- March 2005); consultations to the workgroup tasked with finalization of the draft-law "On Employers' Organizations"	ILO Declaration Project in Ukraine	The participants gave a high evaluation of the training. The remarks provided by Mr. Jean-Marie Standaert to the workgoup members both during the meeting and afterwards - sent in a written form - were taken into consideration by the workgroup members	March 14, 2005	March 17, 2005	

Kari Tapiola	Participation in the Project Advisory Committee meeting (23 January 2004); Meetings with major Project stakeholders	ILO Declaration Project in Ukraine	PAC members were addressed at the meeting; Meetings with ILO constituency held	January 21, 2004	January 25, 2004	February 06, 2004
Kari Tapiola	Participation in the Project Advisory Committee meeting (March 3, 2005); Meetings with major Project stakeholders	ILO Declaration Project in Ukraine	PAC members were addressed at the meeting; Consultation with tripartite constituents were held to discuss the cooperation between ILO and Ukraine after the Orange Revolution	February 28, 2005	March 3, 2005	
Friedrich Buttler	Participation in the Project Advisory Committee meeting (March 3, 2005); Meetings with major Project stakeholders	ILO Declaration Project in Ukraine	PAC members were addressed at the meeting; Consultation with tripartite constituents were held to discuss the cooperation between ILO and Ukraine after the Orange Revolution	February 28, 2005	March 3, 2005	
Dimitrina Dimitrova	Participation in the Project Advisory Committee meeting (March 3, 2005); Meetings with major trade union organizations	ILO Declaration Project in Ukraine	Consultation with trade union organizations and international agencies operating in Ukraine were held to discuss the scope and needs to be addressed through the international technical assistance	February 28, 2005	March 3, 2005	
Slava Egorov	Participation in the round table on social dialogue; consultations with the working group tasked with finalizing the draft Labor Code for the 2nd reading	ILO Declaration Project in Ukraine	Technical assistance was provided to the working group tasked with finalizing the draft Labor Code. Special attention was paid to the Book 6 of the draft Labor Code and drafts of industrial relations laws being a subject of hot discussions by the constituents	April 10, 2005	April 16, 2005	

Shauna Olney	Participation in the round table on gender mainstreaming in collective bargaining	ILO Declaration Project in Ukraine	The social partners were being consulted on how to mainstream gender in collective bargaining. A lecture on gender dimension of labor relations was delivered to the students of the Academy of Labor and Social Relations	June 22, 2005	June 24, 2005	July 22, 2005
Wael Issa	Participation in the final evaluation of the Project	ILO Declaration Project in Ukraine		October 16, 2005	October 23, 2005	

Appendix F: Missions / visits out of Ukraine

Trip period from (Month/Day/Year)	Trip period to (Month/Day/Year)	Destination	Purpose	Participants
24/05/2005	31.02.2005	Warsaw, Poland Lodz.	Consultations with the legal experts, participation in the Conference "Limits to Liberalization of the labor Law"	Editors of the Draft Labor Code (2 person)
21/09/2003	23/09/2005	Borovetz, Bulgaria	Participate in the Conference. Integrating Labor Inspection "Functions, Effectiveness and Training	Labor Inspector (1 person)
28/03/2004	01,04,2004	Geneva, Switzerland	Study-visit of the group to ILO-HQ concerning the preparation of the draft Labor Code to the Parliamentary 2nd reading	MP's, government officials (18 persons)
29/05/2005	06,06,2005	Wroclaw, Poland	Study visit of the group to the Wroclaw (Poland) of studying of complex inspection of employers by Poland Labor Inspectors	State Labor Inspectors (18 persons)

Appendix F: Statistics relating to Labour Inspections

Date	Sep-03	Mar-04	Sep-04	Mar-05
Region	1. Cherkassy	1. Cherkassy	1. Cherkassy	1. Cherkassy
# requests for labor inspection interventions	889	403	875	367
# labor inspections performed	1168	528	491	440
# inspections per inspector	39	18	21	15
# complaints resolved following inspection	889	403	770	358
% complaints resolved following inspection	100,0	100,0	88,0	97,5
Region	2. Chernihiv	2. Chernihiv	2. Chernihiv	2. Chernihiv
# requests for labor inspection interventions	1073	567	475	332
# labor inspections performed	748	402	313	362
# inspections per inspector	30	14	17	13
# complaints resolved following inspection	1073	567	475	328
% complaints resolved following inspection	100,0	100,0	100,0	98,8
Region	3. Chernivtsi	3. Chernivtsi	3. Chernivtsi	3. Chernivtsi
# requests for labor inspection interventions	324	83	125	117
# labor inspections performed	401	183	153	163
# inspections per inspector	31	14	15	10
# complaints resolved following inspection	324	83	116	112

% complaints resolved following inspection	100,0	100,0	92,8	95,7
Region	4. Crimea (Autonomous Republic)	4. Crimea (Autonomous Republic)	4. Crimea (Autonomous Republic)	4. Crimea (Autonomous Republic)
# requests for labor inspection interventions	590	388	161	585
# labor inspections performed	859	350	326	370
# inspections per inspector	29	13	14	12
# complaints resolved following inspection	483	381	154	503
% complaints resolved following inspection	81.86440678	98,2	95,7	86,0
Region	5. Dnipropetrovsk	5. Dnipropetrovsk	5. Dnipropetrovsk	5. Dnipropetrovsk
# requests for labor inspection interventions	741	269	350	315
# labor inspections performed	1117	620	717	449
# inspections per inspector	25	13	22	10
# complaints resolved following inspection	687	236	312	315
% complaints resolved following inspection	92,7	87,7	89,1	100,0
Region	6. Donetsk	6. Donetsk	6. Donetsk	6. Donetsk
# requests for labor inspection interventions	960	525	577	602
# labor inspections performed	1424	604	837	724
# inspections per inspector	28	11	20	13
# complaints resolved following inspection	880	529	577	568
% complaints resolved following inspection	91,7	100,8	100,0	94,4

Region	7. Ivano-Frankivsk	7. Ivano-Frankivsk	7. Ivano-Frankivsk	7. Ivano-Frankivsk
# requests for labor inspection interventions	490	168	104	357
# labor inspections performed	611	350	307	293
# inspections per inspector	25	15	20	13
# complaints resolved following inspection	340	105	104	357
% complaints resolved following inspection	69,4	62,5	100,0	100,0
Region	8. Kirovograd	8. Kirovograd	8. Kirovograd	8. Kirovograd
# requests for labor inspection interventions	370	191	242	195
# labor inspections performed	495	222	281	308
# inspections per inspector	18	8	19	11
# complaints resolved following inspection	308	151	191	134
% complaints resolved following inspection	83,2	79,1	78,9	68,7
Region	9. Kharkiv	9. Kharkiv	9. Kharkiv	9. Kharkiv
# requests for labor inspection interventions	573	549	463	606
# labor inspections performed	1423	78	669	664
# inspections per inspector	36	13	19	15
# complaints resolved following inspection	547	541	395	484
% complaints resolved following inspection	95,5	98,5	85,3	79,9
Region	10. Kherson	10. Kherson	10. Kherson	10. Kherson

# requests for labor inspection interventions	476	259	376	452
# labor inspections performed	667	394	341	341
# inspections per inspector	28	16	18	13
# complaints resolved following inspection	476	252	376	452
% complaints resolved following inspection	100,0	97,3	100,0	100,0
Region	11. Khmelnytskyi	11. Khmelnytskyi	11. Khmelnytskyi	11. Khmelnytskyi
# requests for labor inspection interventions	721	439	247	499
# labor inspections performed	1047	500	512	457
# inspections per inspector	36	17	19	15
# complaints resolved following inspection	626	439	247	499
% complaints resolved following inspection	86,8	100,0	100,0	100,0
Region	12. Kyiv	12. Kyiv	12. Kyiv	12. Kyiv
# requests for labor inspection interventions	679	324	362	576
# labor inspections performed	846	396	484	516
# inspections per inspector	24	11	18	13
# complaints resolved following inspection	489	226	178	553
% complaints resolved following inspection	72,0	69,8	49,2	96,0
Region	13. Kyiv (city)	13. Kyiv (city)	13. Kyiv (city)	13. Kyiv (city)
# requests for labor inspection interventions	552	260	351	349
# labor inspections performed	497	256	255	153

# inspections per inspector	56	21	28	10
# complaints resolved following inspection	268	230	235	310
% complaints resolved following inspection	48,6	88,5	67,0	88,8
Region	14. Lugansk	14. Lugansk	14. Lugansk	14. Lugansk
# requests for labor inspection interventions	883	242	246	309
# labor inspections performed	935	503	428	487
# inspections per inspector	25	13	18	12
# complaints resolved following inspection	883	242	246	309
% complaints resolved following inspection	100,0	100,0	100,0	100,0
Region	15. Lviv	15. Lviv	15. Lviv	15. Lviv
# requests for labor inspection interventions	299	320	207	157
# labor inspections performed	651	398	373	353
# inspections per inspector	20	12	19	11
# complaints resolved following inspection	187	320	87	157
% complaints resolved following inspection	62,5	100,0	42,0	100,0
Region	16. Mykolayiv	16. Mykolayiv	16. Mykolayiv	16. Mykolayiv
# requests for labor inspection interventions	496	384	258	372
# labor inspections performed	546	258	292	509
# inspections per inspector	19	9	15	18
# complaints resolved following inspection	496	384	258	372

% complaints resolved following inspection	100,0	100,0	100,0	100,0
Region	17. Odessa	17. Odessa	17. Odessa	17. Odessa
# requests for labor inspection interventions	1684	821	779	702
# labor inspections performed	860	477	500	465
# inspections per inspector	21	11	16	12
# complaints resolved following inspection	1662	814	770	677
% complaints resolved following inspection	98,7	99,1	98,8	96,4
Region	18. Poltava	18. Poltava	18. Poltava	18. Poltava
# requests for labor inspection interventions	975	720	726	761
# labor inspections performed	928	496	538	410
# inspections per inspector	26	15	21	12
# complaints resolved following inspection	928	678	615	761
% complaints resolved following inspection	95,2	94,2	84,7	100,0
Region	19. Rivne	19. Rivne	19. Rivne	19. Rivne
# requests for labor inspection interventions	2394	892	842	795
# labor inspections performed	889	388	354	321
# inspections per inspector	37	16	18	14
# complaints resolved following inspection	2361	892	842	795
% complaints resolved following inspection	98,6	100,0	100,0	100,0

Region	20. Sevastopol (city)	20. Sevastopol (city)	20. Sevastopol (city)	20. Sevastopol (city)
# requests for labor inspection interventions	356	236	172	281
# labor inspections performed	123	50	57	60
# inspections per inspector	21	8	15	10
# complaints resolved following inspection	339	232	172	219
% complaints resolved following inspection	95,2	98,3	100,0	77,9
Region	21. Sumy	21. Sumy	21. Sumy	21. Sumy
# requests for labor inspection interventions	598	241	104	273
# labor inspections performed	683	335	302	339
# inspections per inspector	23	11	10	12
# complaints resolved following inspection	587	241	63	189
% complaints resolved following inspection	98,2	100,0	60,6	69,2
Region	22. Ternopil	22. Ternopil	22. Ternopil	22. Ternopil
# requests for labor inspection interventions	648	549	399	322
# labor inspections performed	619	260	259	241
# inspections per inspector	26	12	17	11
# complaints resolved following inspection	608	532	399	322
% complaints resolved following inspection	93,8	96,9	100,0	100,0
Region	23. Vinnytsya	23. Vinnytsya	23. Vinnytsya	23. Vinnytsya

# requests for labor inspection interventions	815	455	383	482
# labor inspections performed	997	501	536	468
# inspections per inspector	31	16	19	13
# complaints resolved following inspection	797	448	365	475
% complaints resolved following inspection	97,8	98,5	95,3	98,5
Region	24. Volyn	24. Volyn	24. Volyn	24. Volyn
# requests for labor inspection interventions	379	171	170	112
# labor inspections performed	581	305	284	312
# inspections per inspector	25	13	22	14
# complaints resolved following inspection	369	160	159	112
% complaints resolved following inspection	97,4	93,6	93,5	100,0
Region	25. Zakarpattya	25. Zakarpattya	25. Zakarpattya	25. Zakarpattya
# requests for labor inspection interventions	279	142	127	64
# labor inspections performed	484	233	271	276
# inspections per inspector	30	15	17	15
# complaints resolved following inspection	215	132	66	58
% complaints resolved following inspection	77,1	93,0	52,0	90,6
Region	26. Zaporizhzhya	26. Zaporizhzhya	26. Zaporizhzhya	26. Zaporizhzhya
# requests for labor inspection interventions	852	385	363	285
# labor inspections performed	778	444	476	478

# inspections per inspector	24	14	18	14
# complaints resolved following inspection	817	385	363	285
% complaints resolved following inspection	95,9	100,0	100,0	100,0
Region	27. Zhytomyr	27. Zhytomyr	27. Zhytomyr	27. Zhytomyr
# requests for labor inspection interventions	998	242	477	198
# labor inspections performed	752	387	382	404
# inspections per inspector	24	12	13	13
# complaints resolved following inspection	998	242	470	196
% complaints resolved following inspection	100,0	100,0	98,5	99,0
Region	Total	Total	Total	Total
# requests for labor inspection interventions	20094	10225	9961	10083
# labor inspections performed	21078	10318	10738	10363
# inspections per inspector	27	13	18	13
# complaints resolved following inspection	18637	9727	9005	9900
% complaints resolved following inspection	92,7	95,1	90,4	98,2

Appendix G: List of publications produced

Publications	Date	Number printed	Means of distrib	Distributed
Manual for the Territorial States Labor Inspectorates	10/04/2002	1000	"Pozitiv"	
Maria Matey-Tyrowicz "Collective Labor Law: An Outline"	05.05.2002-2003	150	Seminars	
Master collective agreement	01.03.2002-2003	350	Seminars	
Master regional agreement	04.04.2002-2003	350	Seminars	
Non-discrimination in the EU labor law (by Maria Matey-Tyrowicz)	18/04/2002	100	"Infoterra"	
Publication "Legal aspects of activity of the employers' organizations. The international experience" Distribution materials (for the purposes of the seminar "Place and role of the employers' organizations' of Ukraine in social	17/05/2002	70	Seminar/ Round table	Social partners (government representatives, trade unions representatives, employers' organizations representatives, scientists, researchers, experts, consultants, statisticians, independent mediators and arbitrators, National Council of Social Partnership representatives, state labor inspectors, participants of the seminars, and others)

partnership: realities and perspectives")				
"Industrial relations in Ukraine: trends of development and perspectives" " Social partnership in Ukraine "	07.08.2002	1000	"Center of Sociological Expertise"	
Publication "Labor Inspection. A guide to the profession". (by Wolfgang von Richtofen) Reports on the survey held by the State Labor Inspection.	09.01.2003	1000	"Millennium "	
Publication "Labor Law. Challenge of the XXIst century"	18.02.2003	100	"Infoterra"	
Publication "The international experience of collective labor disputes resolution"	28.03.2003	300	"НРСПП" семінар м.Черкаси	
Publication "Social dialogue at national level in the EU accession countries"	31/01/2003	100	National tripartite conference on collective bargaining regulation of industrial relations	

Labor Code of Poland	27.05.2003	150	"Infoterra"	
Labor Code of Lithuania	27.05.2003	150	"Infoterra"	Social partners (government representatives, trade unions representatives, employers' organizations representatives, scientists, researchers, experts, consultants, statisticians, independent mediators and arbitrators, National Council of Social Partnership representatives, state labor inspectors, participants of the seminars, and others)
The monography: "Current state, problems and perspectives of Industrial Relations in Ukraine, attempt of social designing "	18.06.2003	1000	"Center of Sociological Expertise"	
"Social partnership in Ukraine – the way to conciliation. Practice, achievements, problems and prospects"	09.07.2003	1000	"Центр реклами і маркетингу"	
"Informal Labor Relations in Ukraine: Assessment of the Status"	15.07.2003	500	"Infoterra"	
Review of the international materials "Some problems of the	18/08/2003	100	"Infoterra"	

labor law. International experience".				
Draft Labor Code	05.09.2003	1200	"Infoterra"	
ILO Comments of the draft Labor Code of Ukraine	15/09/2003	220	"Kantana"	
Special issue of the newspaper "Labor and Salary"	30.10.2003	47300	"Pracia"	
Distribution materials for the purposes of the seminar on labor law reform	03.12.2003	100		
Selected articles on problem issues of labor law (international experience)	05.12.2003	200		Social partners (government representatives, trade unions representatives, employers' organizations representatives, scientists, researchers, experts, consultants, statisticians, independent mediators and arbitrators, National Council of Social Partnership representatives, state labor inspectors, participants of the seminars, and others)
Publication "Social Dialogue at the Sectoral Level in the Future EU Member-States: the Weakest Link"	23.03.2004	150		Sergiy Melnyk

The European labor law: some questions of nondiscrimination	04/04/2005	100		
ILO brochure "Gender Equality: A Guide to Collective Bargaining"	13/04/2004	500		
Master sectoral agreement	15/04/2005	100	Tripartite seminar	
Legal and practical framework of employers' organizations	26/10/2004	100	Round table	
Efficient model of social dialogue – decisive factor for development of civil society: curent state, problems and perspectives of legislative and institutional provision	14/05/2005	90	Round table	
Analytical report on a situational analysis of the gender equality problem at work in Ukraine	01/08/2005	100	“Center of Sociological Expertise”	